

• King Charls 4th

HIS

T R Y A L

AT THE

High Court of Justice

sitting in *Westminster Hall*. Begun on
Saturday, Jan. 20. Ended Jan. 27. 1648.

Also, His Majesties

S P E E C H

On the SCAFFOLD, Immediately before
his Execution, On Tuesday, Jan. 30.

Together with the Several

S P E E C H E S

OF

Duke HAMILTON, the Earl of
HOLLAND, and the Lord CAPEL,

Immediately before their EXECUTION,

On Friday, March 9. 1649.

Vol. II. 22
The Second Edition, much enlarged, and
faithfully Corrected. 1649

LONDON, Printed by J. M. for Peter Cole,
Francis Tytot, and John Playford. 1649.





King Charles

HIS

TRIAL

AT THE

High Court of Justice
sitting in Westminster Hall,

Begun on Saturday, January 20. and ended
Saturday, Jan. 27. 1648.

*A List of the Names of the Judges and
Officers of the High Court of Justice, ap-
pointed, by an Act of the Commons of Eng-
land in Parliament assembled, for the
Tryal of the King.*

T Thomas Lord Fairfax, General.
Oliver Cromwel, Lievt. General.
Henry Ireton, Commissary General.
Philip Skippon, Major General.

Sir Hardress Waller, Colonel.

Colonel Valentine Walton.

Colonel Thomas Harrison.

Col. Edward Whalley.

Col. Thomas Pride.

Col. Isaac Emers.

Col. Richard Ingelsby.

Col. Richard Dean.

Col. John Okey.

Col. Robert Overton.

Col. John Harrison.

Col. John Desborough.

Col. William Goff.

Col. Robert Duckenfield.

Col. Rowland Wilson.

Col. Henry Marten.

Col. William Purefoy.

Col. Godfrey Bosvil.

Col. Harbottle Morley.

Col. John Berkestead.

Col. Matthew Tomlinson.

Col. John Lambert.

Col. Edward Ludlow.

Col. John Hutchinson.

Col. Robert Titchburn.

Col. Owen Roe.

Col. Robert Manwaring.

Col. Robert Lilburn.

Col. Adrian Scroop.

Col. *Alg. Sidney.*
 Col. *John Moore.*
 Col. *Francois Lassels.*
 Col. *Alexander Rigby.*
 Col. *Edm. Harvey.*
 Col. *John Venn.*
 Col. *Anthony Stapley.*
 Col. *Thomas Horton.*
 Col. *Thomas Hammond.*
 Col. *George Fenwick.*
 Col. *George Fleetwood.*
 Col. *James Temple.*
 Col. *Thomas Wats.*
 Sir *Henry Mildmay.*
 Sir *Thomas Honeywood.*
Thomas Lord Grey.
Philip Lord Lisle.
William Lord Adunson.
 Sir *John Danvers.*
 Sir *Thomas Maleverer.*
 Sir *John Bowcher.*
 Sir *James Harrington.*
 Sir *William Brereton.*
Robert Wallop, Esquire.
William Henningham, Esquire.
Isaac Pennington, Alderman.
Thomas Atkins, Alderman.
 Sir *Peter Wentworth.*
Thomas Trenchard, Esquire.

John Blackstone, Esquire.
 Gilbert Millington, Esq;
 Sir William Constable.
 Sir Arthur Haslerig.
 Sir Michael Livessey.
 Richard Saloway, Esq;
 Humphrey Saloway, Esq;
 Cornelius Holland, Esq;
 John Carne, Esq;
 Sir William Armine.
 John Jones, Esq;
 Miles Corbet, Esq;
 Francis Allen, Esq;
 Thomas Lister, Esq;
 Ben: Weston, Esq;
 Peregrin Pelham, Esq;
 John Gourdon, Esq;
 Francis Thorp, Esq; Serjeant at Law.
 John Nutt, Esq;
 Thomas Challoner, Esq;
 John Anlaby, Esq;
 Richard Darley, Esq;
 William Say, Esq;
 John Aldred, Esq;
 John Fagge, Esq;
 James Nelthorpe, Esq;
 Sir William Roberts.
 Henry Smith, Esq;
 Edmond Wilde, Esq;

James Challoner, Esquire.

Iofias Barns, Esq;

Dennis Bond, Esq;

Hamp: Edwards, Esq;

Gregory Clement, Esq;

Iohn Fray, Esq;

Thomas Wogan, Esq;

Sir Gregory Norton.

Iohn Bradshaw, Esq; Serjeant at Law.

Iohn Dove, Esq;

Iohn Foulks, Alderman.

Thomas Scot, Alderman.

Thomas Andrews, Alderman.

William Cawley, Esq;

Abraham Burrell, Esq;

Roger Gratwick, Esq;

Iohn Downes, Esq;

Robert Nichols, Esq; Serjeant at Law.

Vincent Potter, Esq;

Sir Gilbert Pickering.

Iohn Weaver, Esquire.

Iohn Lenthal, Esquire.

Robert Reynolds, Esquire.

Iohn Lisle, Esquire.

Nicholas Love, Esquire.

Sir Edward Bayntan.

Iohn Corbet, Esquire.

Thomas Blunt, Esq;

Thomas Boone, Esq;

Augustine Garland, Esquire.

Augustine Skinner, Esq;

John Dickswel, Esq;

Simon Mayne, Esq;

John Brown, Esq;

John Lowrey, Esq;

*John Bradshaw, Esq; Serjeant at Law,
Lord President of the Court.*

*Counsellors assistant to the Court, and to draw
up the Charge against the King, are,*

Doctor Dorislow.

Mr Ask,

Mr Steel, Attorney General.

Mr Cook, Solicitor General.

Mr Broughton,

Mr Phelps, } Clerks to the Court.

Officers of the Court.

*Serjeant Danby, Serjeant at Arms, and
Mace-Bearer.*

Col. John Humphrey, Sword-Bearer.

Mr King, Cryer of the Court.

Mr Walford,

Mr Radley,

Mr Payn,

Mr Powel,

Mr Hull,

*The Messengers and
Door-Keepers with
Tip-Staves.*

*The manner of the Tryal of CHARLES
STUART King of England, in the
great Hall in Westminster.*

ON Saturday, being the 20. day of *January* 1648. The Lord President of the High Court of Justice with neer fourscore of the Members of the said Court, having sixteen Gentlemen with Partizans, and a Sword and a Mace, with their, and other Officers of the said Court marching before them, came to the place ordered to be prepared for their sitting, at the West end of the great Hall at *Westminster*; where the Lord President in a Crimſion Velvet Chair, fixed in the midst of the Court, placed himself, having a Desk with a Crimſion Velvet Cushion before him; The rest of the Members placing themselves on each side of him upon the several Seats, or Benches, prepared and hung with Scarlet for that purpose, and the Partizans dividing themselves on each side of the Court before them.

The Court being thus sate, and silence made,
the

the great Gate of the said Hall was set open, to the end, That all persons without exception, desirous to see, or hear, might come into it, upon which the Hall was presently filled, and silence again ordered.

This done, Colonel *Thomlinson*, who had the charge of the Prisoner, was commanded to bring him to the Court, who within a quarter of an hours space brought him attended with about twenty Officers, with Partizans marching before him, there being other Gentlemen, to whose care and custody he was likewise committed, marching in his Rear.

Being thus brought up within the face of the Court, The Sergeant at Arms, with his Mace, receives and conducts him streight to the Bar, having a Crimson Velvet Chair set before him. After a stern looking upon the Court, and the people in the Galleries on each side of him, he places himself, not at all moving his Hat, or otherwise shewing the least respect to the Court; but presently rises up again, and turns about, looking downwards upon the Guards placed on the left side, and on the multitude of Spectators on the right side of the said great Hall. After Silence made among the people, the Act of Parliament, for the Trying of *CHARLES STUART KING* of England, was read over by the Clerk

Clerk of the Court, who sat on one side of a Table covered with a rich Turkey Carpet, and placed at the feet of the said Lord President, upon which table was also laid the Sword and Mace.

After reading the said Act, the several names of the Commissioners were called over, every one who was present, being 80. as aforesaid, rising up and answering to his Call.

Having again placed himself in his Chair, with his face towards the Court, Silence being again ordered, the Lord President stood up and said;

*Lord President. C H A R L E S
S T U A R T, King of England; The
Commons of England Assembled in Parlia-
ment, being deeply sensible of the Calamities
that have been brought upon this Nation
(which is fixed upon you as the principal Au-
thor of it) have resolved to make inquisition
for Blood, and according to that Debt and
Duty they owe to Justice, to God, the King-
dom, and themselves, and according to the
Fundamental Power that rests in themselves,
They have resolved to bring you to Tryal and
Judgement; and for that purpose have consti-
tuted this High Court of Justice, before which
you are brought.*

This said, *M. Cook* Attorney for the Com-
mon-wealth (standing within a Bar on the
right

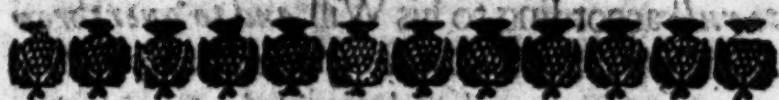
right hand of the Prisoner) offered to speak, but the King having a staff in his Hand, held it up, and laid it upon the said M. Cooks shoulder two or three times, bidding him hold; Nevertheless, the Lord President ordering him to go on, he said:

M. Cook. My Lord, I am commanded to charge **CHARLES STUART**, King of *England*, in the name of the Commons of *England*, with Treason and high Misdemeanors; I desire the said Charge may be read.

The said Charge being delivered to the Clerk of the Court, the Lord President ordered it should be read, but the King bid him hold; Nevertheless, being commanded by the Lord President to read it, the Clerk begun.



THE



THE
 Charge of the Commons
 of ENGLAND, against
 Charles Stuart,

KING of England,
 Of High Treason, and other
 High Crimes, exhibited to the High
 Court of Justice.

That the said CHARLES STUART
 being admitted King of England, and
 therein trusted with a limited Power, to go-
 vern by, and according to the Laws of the
 Land, and not otherwise; And by his Trust,
 Oath, and Office, being obliged to use the Po-
 wer committed to him, For the good and bene-
 fit of the People, and for the preservation of
 their Rights and Liberties; Yet nevertheless
 out of a wicked Design, to erect, and uphold in
 himself an unlimited and Tyrannical Power

to rule according to his Will, and to overthrow the Rights and Liberties of the People; Yea, to take away, and make void the Foundations thereof, and of all redress and remedy of misgovernment, which by the fundamental Constitutions of this Kingdom, were reserved on the Peoples behalf, in the Right and Power of frequent and successive Parliaments, or National meetings in Council; He, the said **C H A R L E S S T U A R T**, for accomplishment of such his Designs, and for the protecting of himself and his adherents, in His, and Their wicked Practises to the same Ends, both Trayterously and maliciously levied War against the present Parliament, and the People therein Represented.

Particularly, upon or about the thirtieth day of June, in the year of our Lord, One thousand six hundred forty and two, At Beverly, in the County of York; And upon, or about the thirtieth day of July, in the year aforesaid, in the County of the City of York; And upon, or about the twenty fourth day of August, in the same year, at the County of the Town of Nottingham (when, and where He set up His Standard of War;) And also on, or about the twenty third day of October, in the same year, at Edg-Hill, & Keinton-field, in the County of Warwick; And upon, or about the thirti-

oth

eth day of November, in the same year, at
 Brainchford, in the County of Middlesex: And
 upon, or about the thirtieth day of August, in
 the year of our Lord, One thousand six hun-
 dred forty and three, at Cavesham-bridge,
 near Reding, in the County of Berks; And up-
 on, or about the thirtieth day of October, in
 the year last mentioned, at, or near the City of
 Gloucester; And upon, or about the thirtieth
 day of November, in the year last mentioned,
 at Newbery, in the County of Berks; And up-
 on, or about the one and thirtieth day of July,
 in the year of our Lord, One thousand six hun-
 dred forty and four, at Cropredy-Bridge, in
 the County of Oxon; And upon, or about the
 thirtieth day of September, in the year last
 mentioned, at Bodmin, and other places near
 adjacent, in the County of Cornwall; And up-
 on, or about the thirtieth day of November, in
 the year last mentioned, at Newbery afore-
 said; And upon, or about the eighth day of
 June, in the year of our Lord, One thousand
 six hundred forty and five, at the Town of
 Leicester; And also, upon the fourteenth day
 of the same month, in the same year, at Nase-
 by-field, in the County of Northampton. At
 which several times and places, or most of
 them, and at many other places in this Land,
 at several other times, Within the years afore-
 mentioned

mentioned: And in the year of our Lord, One thousand six hundred fourty and six; He the said CHARLES STUART, hath caused and procured many thousands of the Free-People of the Nation to be slain; and by Divisions, Parties, and Insurrections, within this Land, by Invasions from Forraign parts, endeavored and procured by Him, and by many other evil ways and means. He the said CHARLES STUART, hath not only maintained and carried on the said War, both by Land and Sea, during the years before mentioned; but also hath renewed, or caused to be renewed, the said War against the Parliament, and good People of this Nation, in this present year, One thousand six hundred fourty and eight, in the Counties of Kent, Effex, Surry, Suffex, Middlesex, and many other Counties and places in England and Wales, and also by Sea; And particularly, He the said CHARLES STUART, hath for that purpose, given Commission to his Son, the Prince, and others, whereby, besides multitudes of other Persons, many such, as were by the Parliament intrusted and imployed, for the safety of the Nation, being by Him or His Agents, Corrupted, to the betraying of Their Trust, and revolting from the Parliament, have had entertainment and Commission, for the continuing and renewing

newing of War and Hostility, against the said Parliament and People as aforesaid. By which cruel and unnatural Wars by Him, the said CHARLES STUART, levied, continued, and renewed, as aforesaid, much Innocent Blood of the Free-people of this Nation hath been spilt; many Families have been undone, the Publike Treasury wasted and exhausted, Trade obstructed, and miserably decayed; vast expence and damage to the Nation incurred, and many parts of the Land spoyled, some of them even to Desolation.

And for further prosecution of His said evil Designs, He, the said CHARLES STUART, doth still continue his Commissions to the said Prince, and other Rebels, and Revolters, both English and Forraigners, and to the Earl of Ormond, and to the Irish Rebels and Revolters, associated with him; from Whom further Invasions upon this Land are threatened, upon the procurement, and on the behalf of the said Charles Stuart.

All which Wicked Designs, Wars, and evil Practises of Him, the said CHARLES STUART, have been, and are carryed on, for the advancing and upholding of the Personal Interest of Will and Power, and pre-

tended Prerogative to Himself and his Family, against the publique Interest, Common Right, Liberty, Justice, and Peace Of the People of this Nation, by, and for whom he was entrusted, as aforesaid.

By all which it appeareth, that He, the said CHARLS STUART, hath been, and is the Occasioner, Author, and Contriver of the said Unnatural, Cruel, and bloody Wars, and therein guilty of all the Treasons, Murthers, Rapines, Burnings, Spoils, Desolations, Damage and Mischief to this Nation, acted or committed in the said Wars, or occasioned thereby.

And the said John Cook, by Procestation (saving on the behalf of the People of England, the liberty of Exhibiting at any time hereafter, any other Charge against the said Charls Stuart; and also of replying to the Answers which the said Charls Stuart shall make to the Premises, or any of them, or any other Charge that shall be so Exhibited) doth, for the said Treasons and Crimes, on the behalf of the said People of England, Impeach the said CHARLS STUART, as a Tyrant, Traytor, Murtherer, and a publike, and Implacable Enemy to the Common-wealth of England: And pray, That the said CHARLS STUART, King of England, may be put to answer All and Every the Premises, That such Proceed-
ings,

ings, Examinations, Tryals, Sentence, and Judgment may be thereupon had, or shall be agreeable to Justice.

IT is observed, that the time the Charge was reading, the King sat down in his Chair, looking sometimes on the Court, sometimes up to the Galleries; and having risen again, and turned about to behold the Guards and Spectators, sat down, looking very sternly, with a countenance not at all moved, till these words, *viz. Charles Stuart* (to be a Tyrant and Traytor, &c.) were read, at which he laughed as he sat in the face of the Court.

The Charge being read the Lord President replied :

Lord President. Sir, you have now heard your Charge read, containing such matter as appears in it; you finde, That in the close of it, it is prayed to the Court, in the behalf of the *Commons of England*, that you answer to your Charge. The Court expects your Answer.

The King. I would know by what power I am called hither: I was, not long ago, in the *Isle of Wight*, how I came there, is a longer story then I think is fit at this time for me to speak of; but there I entred into a *Treaty* with both Houses of *Parliament* with as

much publique faith as it's possible to be had of any people in the world. I treated there with a number of Honorable Lords and Gentlemen, and treated honestly and uprightly; I cannot say but they did very nobly with me, we were upon a conclusion of the *Treaty*. Now I would know by what Authority, I mean, lawful; there are many unlawful Authorities in the world, Theeves and Robbers by the high-ways: but I would know by what Authority I was brought from thence, and carryed from place to place, (and I know not what,) and when I know what lawful Authority, I shall answer: Remember I am your King, your lawful King, and what sins you bring upon your heads, and the Judgment of God upon this Land, think well upon it, I say, think well upon it, before you go further from one sin to a greater; therefore let me know by what lawful Authority I am seated here, and I shall not be unwilling to answer, in the mean time I shall not betray my Trust: I have a Trust committed to me by God, by old and lawful descent, I will not betray it to answer to a new unlawful Authority, therefore resolve me that, and you shall hear more of me.

Lord President. If you had been pleased to have observed what was hinted to you, by
the

the *Court*, at your first coming hither, you would have known by what Authority; which Authority requires you, in the name of the People of *England*, of which you are Elected King, to answer them.

The King. No Sir, I deny that.

Lord President. If you acknowledg not the Authority of the *Court*, they must proceed.

The King. I do tell them so, *England* was never an Elective Kingdom, but an Hereditary Kingdom for neer these thousand years; therefore let me know by what Authority I am called hither: I do stand more for the *Liberty* of my People then any here that come to be my pretended Judges; and therefore let me know by what *lawful Authority* I am seated here, and I will answer it, otherwise I will not answer it.

Lord President. Sir, how really you have managed your Trust, is known; your way of answer is to interrogate the *Court*, which be- seems not you in this condition. You have been told of it twice or thrice.

The King. Here is a Gentleman, Lievt. Col. *Cobbet*, (ask him) if he did not bring me from the *Isle of Wight* by force? I do not come here as submitting to the *Court*; I wil stand as much for the priviledg of thehouse of Cômmons, right- ly understood, as any man here whatsoever. I

see no House of Lords here that may constitute a *Parliament*, and (the King too) should have been. Is this the bringing of the King to his *Parliament*? Is this the bringing an end to the *Treaty* in the publike Faith of the world? Let me see a legal *Authority* warranted by the Word of God, the Scriptures, or warranted by the *Constitutions* of the Kingdom, and I will answer.

Lord President. Sir, You have propounded a *Question*, and have been answered: seeing you will not answer, the *Court* will consider how to proceed; in the mean time, those that brought you hither, are to take charge of you back again.

The *Court* desires to know whether this be all the Answer you will give, or no.

The King. Sir, I desire that you would give me, and all the world, satisfaction in this; let me tell you, it is not a slight thing you are about. I am sworn to keep the Peace by that duty I ow to God and my *Country*, and I will do it to the last breath of my body, and therefore you shall do well to satisfy first God, and then the *Country*, by what *Authority* you do it, if you do it by a usurped *Authority*, that will not last long. There is a God in Heaven that will call you, and all that give you Power, to account: Satisfie me in that, and I will
answer

answer, otherwise I betray my Trust, and the *Liberties* of the People, and therefore think of that, and then I shall be willing. For I do avow, That it is as great a sin to withstand lawful *Authority*, as it is to submit to a Tyrannical, or any other ways unlawful *Authority*, and therefore satisfy God, and me, and all the world in that, and you shall receive my Answer: I am not afraid of the Bill.

Lord President. The *Court* expects you should give them a final Answer, their purpose is to adjourn till Monday next, if you do not satisfy your self, though we do tell you our *Authority*; we are satisfied with our *Authority*, and it is upon *Gods Authority* and the *Kingdoms*, and that Peace you speak of will be kept in the doing of Justice, and that's our present Work.

The King. Let me tell you, if you will shew me what lawful *Authority* you have, I shall be satisfied; But that you have said satisfies no reasonable man.

Lord Presid. That's in your apprehension: we think it reasonable that are your Judges.

The King. 'Tis not my apprehension, nor yours neither, that ought to decide it.

Lord Presid. The *Court* hath heard you, and you are to be disposed of as they have commanded.

*Two things were remarkable in this
days Proceedings.*

1. It is to be observed, That as the Charge was reading against the King, the silver head of his staff fell off, the which he wondred at, and seeing none to take it up, he stoops for it himself.
2. That as the King was going away, he looked with a very austere countenance upon the Court, with stirring of his Hat replied, Well Sir, (when the *Lord President* commanded the Guard to take him away,) and at his going down, he said, *I do not fear that*, (pointing with his Staff at the Sword). The people in the Hall, as he went down the stairs, cryed out, some, *God save the King*, and some for *Justice*.

○ Yes being called, the Court adjourned till Monday next, *January 22.* at 9. in the morning to the painted Chamber, and from thence to the same place again in *Westminster Hall*.



At the high Court of Justice sitting in Westminster Hall, Munday, January 22. 1648.

O Yes made. Silence commanded. The Court called, and answered to their names.

Silence commanded upon pain of imprisonment, and the Captain of the Guard to apprehend all such as make disturbance.

Upon the Kings coming in a shout was made.

Command given by the Court to the Captain of the Guard to fetch and take into his custody those who make any disturbance.

Mr Solicitor. May it please your Lordship, my Lord President,

I did at the last Court in the behalf of the Commons of England, exhibit and give into this Court a Charge of high Treason, and other high Crimes, against the Prisoner at the Bar, whereof I do accuse him in the name of the People of England, and the Charge was read unto him, and his Answer required. My Lord, He was not then pleased to give an Answer, but instead of answering, did there dispute the Authority of this high Court. My humble Motion to this high Court, in behalf of the
King-

Kingdom of England, is, That the Prisoner may be directed to make a positive Answer, either by way of Confession, or Negation; which if he shall refuse to do, That the matter of Charge may be taken *pro confesso*, and the Court may proceed according to justice.

Lord President. Sir, You may remember at the last Court you were told the occasion of your being brought hither, and you heard a Charge against you, containing a Charge of high Treason, and other high Crimes, against this Realm of England; you heard likewise, that it was prayed in the behalf of the People, that you should give an Answer to that Charge, that thereupon such proceedings might be had as should be agreeable to justice; you were then pleased to make some scruples concerning the Authority of this Court, and knew not by what Authority you were brought hither; you did divers times propound your Questions, and were as often answered, That it was by authority of the *Commons of England assembled in Parliament*, that did think fit to call you to account for those high and capital Misdemeanours where-with you were then charged. Since that the Court hath taken into Consideration what you then said, they are fully satisfied with their own authority, and they hold it fit you should
stand

stand satisfied with it too; and they do require it, that you do give a positive and particular Answer to this Charge that is exhibited against you, they do expect you should either confess or deny it; if you deny, it is offered in the behalf of the Kingdom to be made good against you; their authority they do avow to the whole world, that the whole Kingdom are to rest satisfied in, and you are to rest satisfied with it, and therefore you are to lose no more time, but to give a positive Answer thereunto.

The KING. When I was here last, 'tis very true, I made that Question, and truly if it were only my own particular case, I would have satisfied myself with the Protestation I made the last time I was here against the legality of this Court, and that a King cannot be tryed by any Superiour Jurisdiction on Earth; but it is not my case alone, it is the Freedom and the Liberty of the People of England, and do you pretend what you will, I stand more for their Liberties. For if Power without Law may make Laws, may alter the fundamental Laws of the Kingdom, I do not know what Subject he is in England, that can be sure of his life, or any thing that he calls his own; therefore when that I came here, I did expect particular Reasons, to know by what Law,
what

what Authority you did proceed against me here, and therefore I am a little to seek what to say to you in this particular, because the Affirmative is to be proved, the Negative often is very hard to do : but since I cannot perswade you to do it, I shall tell you my Reasons as short as I can.

My Reasons why in Conscience, and the duty I owe to God first, and my People next, for the preservation of their Lives, Liberties and Estates ; I conceive I cannot answer this, till I be satisfied of the legality of it.

All proceedings against any man whatsoever——

Lord President. Sir, I must interrupt you, which I would not do, but that what you do is not agreeable to the proceedings of any Court of Justice, you are about to enter into Argument, and dispute concerning the Authority of this Court, before whom you appear as a Prisoner, and are charged as an high Delinquent ; if you take upon you to dispute the Authority of the Court, we may not do it, nor will any Court give way unto it, you are to submit unto it, you are to give in a punctual and direct Answer, whether you will answer your Charge or no, and what your Answer is.

The KING. Sir, by your favour, I do not know the forms of Law, I do know Law and Reason,

Reason, though I am no Lawyer profess'd, but I know as much Law as any Gentleman in England; and therefore (under favour) I do plead for the Liberties of the People of England more then you do, and therefore if I should impose a belief upon any man without Reasons given for it, it were unreasonable; but I must tell you, That that Reason that I have as thus informed, I cannot yield unto it.

Lord President. Sir, I must interrupt you, you may not be permitted, you speak of Law and Reason, it is fit there should be Law and Reason, and there is both against you. Sir, the Vote of the Commons of England assembled in Parliament, it is the Reason of the Kingdom, and they are these that have given to that Law, according to which you should have ruled and raigned: Sir, you are not to dispute our Authority, you are told it again by the Court. Sir, it will be taken notice of, that you stand in contempt of the Court, and your contempt will be recorded accordingly.

The KING. I do not know how a King can be a Delinquent; but by any Law that ever I heard of, all men (Delinquents, or what you will) let me tell you, they may put in Demurrers against any proceeding as legal, and I do demand that, and demand to be heard with my Reasons, if you deny that, you deny Reason.

Lord

Lord President. Sir, you have offered something to the Court, I shall speak something unto you the sence of the Court. Sir, neither you nor any man are permitted to dispute that point, you are concluded, you may not demur the Jurisdiction of the Court, if you do, I must let you know, that they over-rule your Demurrer, they sit here by the Authority of the Commons of *England*, and all your Predecessors, and you are responsible to them.

King. I deny that, shew me one president.

Lord President. Sir, you ought not to interrupt while the Court is speaking to you, this point is not to be debated by you, neither will the Court permit you to do it, if you offer it by way of Demurrer to the Jurisdiction of the Court, they have considered of their Jurisdiction, they do affirm their own Jurisdiction.

The King. I say Sir, by your favour, that the Commons of *England* was never a Court of Judicature, I would know how they came to be so.

Lord President. Sir, You are not to be permitted to go on in that speech, and these discourses.

Then the Clerk of the Court read, as followeth :

CHARLES STUART King of *England*,
Ton

You have been accused on the behalf of the People of England of high Treason, and other high Crimes; the Court have determined that you ought to answer the same.

The King. I will answer the same so soon as I know by what Authority you do this.

Lord President. If this be all that you will say, then, Gentlemen, you that brought the Prisoner hither, take charge of him back again.

The King. I do require that I may give in my Reasons why I do not answer, and give me time for that.

Lord President. Sir, 'Tis not for Prisoners to require.

The King. Prisoners? Sir, I am not an ordinary Prisoner.

Lord President. The Court hath considered of their Jurisdiction, and they have already affirmed their Jurisdiction; if you will not answer, we shall give order to record your default.

The King. You never heard my Reasons yet.

Lord President. Sir, Your Reasons are not to be heard against the highest Jurisdiction.

The King. Shew me that Jurisdiction where Reason is not to be heard.

Lord President. Sir, We shew it you here,
the

the Commons of England ; and the next time you are brought, you will know more of the pleasure of the Court, and, it may be, their final determination.

The King. Shew me where ever the House of Commons was a Court of Judicature of that kind.

Lord President. Serjeant, Take away the Prisoner.

The King. Well Sir, Remember that the King is not suffered to give in his Reasons for the Liberty and Freedom of all his Subjects.

Lord President. Sir, You are not to have liberty to use this language ; how great a friend you have been to the Laws and Liberties of the People , let all England and the world judg.

The King. Sir, under favour, it was the Liberty, Freedom, and Laws of the Subject that ever I took ——— defended my self with Arms, I never took up Arms against the People, but for the Laws.

Lord President. The Command of the Court must be obeyed ; no answer will be given to the Charge.

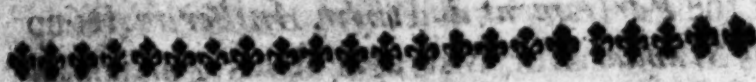
The King. Well Sir.

Then the Lord President ordered the default to be recorded, and the contempt of the Court, and that no answer would be given to the Charge.

And

And so was guarded forth to Sir Robert Cottons house.

Then the Court adjourned to the Painted Chamber on Tuesday at twelve a clock, and from thence they intend to adjourn to Westminster Hall, at which time all persons concerned are to give their attendance.



At the high Court of Justice sitting in Westminster Hall, Tuesday, January 23. 1648.

O Yes made. Silence commanded. The Court called. Seventy three persons present.

The King comes in with his Guard, looks with an austere countenance upon the Court, and sits down.

The second **O** Yes made, and silence commanded.

Mr Cook Solicitor General. May it please your Lordship, my Lord President,

This is now the third time, that by the great grace and favour of this high Court, the prisoner hath been brought to the Bar before any issue joyned in the cause. My Lord, I did at the first Court exhibite a Charge against him, containing the highest Treason that ever was

was wrought upon the *Theatre of England*: That a King of England, trusted to keep the Law, That had taken an Oath so to do, That had Tribute paid him for that end, Should be guilty of a wicked design, subvert and destroy our Laws, and introduce an *Arbitrary, and Tyrannical Government*, in the defence of the *Parliament and their Authority*, set up his *Standard for War* against his *Parliament and People*; and I did humbly pray, in the behalf of the *People of England*, that he might speedily be required to make an Answer to the Charge.

But, my Lord, instead of making any answer, he did then dispute the Authority of this High Court; Your Lordship was pleased to give him a further day to consider and to put in his Answer; which day being yesterday, I did humbly move, that he might be required to give a direct and positive Answer, either by denying, or confession of it; but (my Lord) he was then pleased for to demur to the Jurisdiction of the Court, which the Court did then over-rule, and command him to give a direct and positive Answer. My Lord, Besides this great delay of Justice, I shall now humbly move your Lordship for speedy Judgment against him. My Lord, I might press your Lordship upon the whole, That accord-
ing

ing to the known Rules of the Law of the Land, That if a Prisoner shall stand as contumacious in contempt, and shall not put in an issuable Plea; guilty or not guilty of the Charge given against him, whereby he may come to a fair Tryal; That as by an implicate Confession, it may be taken *pro confesso*, as it hath been done to those who have deserved more favor then the Prisoner at the Bar has done: But besides, my Lord, I shall humbly press your Lordship upon the whole Fact; The House of Commons, the supreme Authority and Jurisdiction of the Kingdom, they have Declared, That it is notorious, That the matter of the Charge is true, as it is in truth; (my Lord) as clear as chrystal, and as the Sun that shines at noon day, which if your Lordship and the Court be not satisfied in, I have notwithstanding, on the People of Englands behalf, several witnesses to produce: And therefore I do humbly pray, and yet I must confess it is not so much I, as the innocent blood that hath been shed, the Cry whereof is very great for Justice and Judgment; and therefore I do humbly pray, That speedy J U D G M E N T be pronounced against the Prisoner at the Bar.

Lord President Sir, You have heard what is moved by the Council on the behalf

behalf of the Kingdom against you. Sir, you may well remember, and if you do not, the Court cannot forget what delatory dealings the Court hath found at your hands, you were pleased to propound some Questions, you have had your Resolution upon them. You were told over and over again, That the Court did affirm their own Jurisdiction, That it was not for you, nor any other man, to dispute the *Jurisdiction of the Supreme and highest Authority of England*; from which there is no Appeal, and touching which there must be no dispute; yet you did persist in such carriage, as you gave no manner of obedience, nor did you acknowledge any Authority in them, nor the *high Court, that constituted this Court of Justice*.

Sir, I must let you know from the Court, That they are very sensible of these delays of yours, and that they ought not, being thus Authorized by the *supream Court of England*, to be thus trifled withal, and that they might in Justice, if they pleased, and according to the Rules of Justice, take advantage of these delays, and proceed to pronounce judgment against you; yet nevertheless they are pleased to give direction, and on their behalfs I do require you, That you make a positive Answer unto this Charge that is against you Sir, in plain terms,

terms, for Justice knows no respect of persons; you are to give your positive and finall Answer in plain English, whether you be guilty or not guilty of these Treasons laid to your Charge.

The KING after a little pause, said,

When I was here yesterday, I did desire to speak for the *Liberties of the People of England*; I was interrupted: I desire to know yet whether I may speak freely or not.

Lord President. Sir, You have had the Resolution of the Court upon the like Question the last day, and you were told, That having such a Charge of so high a Nature against you, and your Work was, that you ought to acknowledge the JURISDICTION of the COURT, and to Answer to your CHARGE. Sir, if you Answer to your Charge, which the Court gives you leave now to do, though they might have taken the advantage of your contempt, yet if you be able to Answer to your Charge, when you have once Answered, you shall be heard at large, make the best Defence you can. But Sir, I must let you know from the Court, as their commands, that you are not to be permitted to issue out into any other discourses, till such time as you have given a positive Answer concerning

ing the *Matter* that is *CHARG'D* upon you.

The King. For the *Charge*, I value it not a Rush, it is the *Liberty* of the People of England that I stand for; for me to acknowledge a new *Court* that I never heard of before, I that am your King, that should be an example to all the people of England for to uphold Justice, to maintain the old Laws; indeed I do not know how to do it; you spoke very well the first day that I came here, (on Saturday) of the Obligations that I had laid upon me by God, to the maintenance of the *Liberties* of my People: The same Obligation you spake of, I do acknowledge to God that I owe to him, and to my People, to defend as much as in me lies, the ancient Laws of the Kingdom, therefore untill that I may know that this is not against the *Fundamental Laws* of the Kingdom, by your favour I can put in no particular * *Charge*: If * *This is as the* you will give me time, I will *King express'd*, shew you my reasons why but I supposed I cannot do it, and this
be meant *Ans.*

Here being interrupted, he said,

By your favour, you ought not to interrupt me; how I came here I know not, there's no Law for it to make your King your Prisoner: I was in a Treaty upon the publique Faith of the

the Kingdom, that was the known
two Houses of Parliament that was the Repre-
sentative of the Kingdom, and when that
had almost made an end of the Treaty, then
I was hurried away and brought hither, and
therefore

Here the Lord *President* said; Sir, you must
know the pleasure of the Court.

The King. By your favour Sir;

Lord President. Nay Sir, by your favour,
you may not be permitted to fall into those dis-
courses; you appear as a Delinquent, you have
not acknowledged the authority of the Court,
the Court craves it not of you, but once more
they command you to give your positive An-
swer ——— *Clark.* Do your
Duty.

The King. Duty Sir!

The *Clark* reads.

CHARLES STUART, KING
of England, You are accused in the behalf of
the Commons of England of divers high crimes
and Treasons, which Charge hath been read
unto You; the Court now requires you to give
Your positive and final Answer by way of con-
fession, or denial of the Charge.

The King. Sir, I say again to you, so that
I might give satisfaction to the People of Eng-
land of the clearness of my proceeding, not by

way of Answer, not in this way, but to satisfy them that I have done nothing against that Trust that hath been committed to me, I would do it; but to acknowledge a new Court against their Priviledges, to alter the fundamental Laws of the Kingdom, Sir you must excuse me.

Lord President. Sir, this is the the third time that you have publicquely disown'd this Court, and put an affront upon it; how far you have preserv'd Priviledges of the People, your actions have spoke it; but truly Sir, mens intentions ought to be known by their actions, you have written your meaning in bloody Characters throughout the whole Kingdom; but Sir you understand the pleasure of the Court, _____ Clerk Record the default, _____ and Gentlemen, you that took charge of the Prisoner, take him back again.

The King. I will only say this one word more to you, if it were only my own particular, I would not say any more, nor interrupt you.

Lord President. Sir, you have heard the pleasure of the Court, and you are (notwithstanding you will not understand it) to find that you are before a COURT of JUSTICE.

Then

Then the King went forth with his Guard, and Proclamation was made, That all persons which had then appear'd, and had further to do at the Court might depart into the *Painted-Chamber*, to which place the Court did forthwith adjourn, and intended to meet in *Westminster Hall* by ten of the clock the next morning.

Cryer. God bless the Kingdom of England.

Wednesday January 4.

1648.

THIS day it was expected the *High Court of Justice* would have met in *Westminster Hall* about ten of the clock, but at the time appointed one of the *Ushers* by direction of the Court (then sitting in the *Painted Chamber*) gave notice to the people there assembled, That in regard the Court was then upon the examination of *Witnesses* in relation to present affairs, in the *Painted Chamber*, they could not sit there, but all persons appointed to be there, were to appear upon further Summons.

The

*The Proceedings of the High Court of Justice
sitting in Westminster Hall, on Saturday
the 27. of January, 1648.*

O Yes made. Silence commanded. The Court called. Serjeant *Bradshaw*, Lord President (in a Scarlet robe) with sixty eight other Members of the Court.

As the King comes in, a cry made in the Hall for *Execution, Justice, Execution.*

King. I shall desire a word to be heard a little, and I hope I shall give no occasion of interruption.

Lord President. You may answer in your time, hear the Court first.

King. If it please you Sir, I desire to be heard, and I shall not give any occasion of interruption, and it is only in a word, a sudden Judgment.

Lord President. Sir you shall be heard in due time, but you are to hear the Court first.

King. Sir, I desire it will be in order to what I believe the Court will say; and therefore

fore Sir, an hasty Judgment is not so soon recalled.

Lord President. Sir, You shall be heard before the Judgment be given, and in the mean time you may forbear.

King. Well Sir, shall I be heard before the Judgment be given?

Lord President. Gentlemen, it is well known to all, or most of you here present, That the Prisoner at the Bar hath been severall times convented and brought before the Court to make Answer to a Charge of Treason, and other high crimes exhibited against him

* Here in the name of the People of * Eng-
a Malig- land, to which Charge being re-
nant La- quired to Answer, he hath been so
dy inter- far from obeying the commands of
rupted the the Court by submitting to their
Court, Justice, as he began to take upon
(saying him to offer reasoning and debate
not halfe unto the Authority of the Court,
the peo- and of the highest Court that com-
ple) but stituted them to Try and judge him;
the was but being over-ruled in that, and
soon filen- required to make his Answer, he
ced. was still pleased to continue contu-
macious, and to refuse to submit or Answer:
Hereupon the Court, that they may not be
wanting

wanting to themselves, to the trust reposed in them, nor that any mans wilfulness prevent Justice, they have thought fit to take the matter into their consideration; They have considered of the contumacy, and of that confession, which in Law doth arise upon that contumacy; They have likewise considered of the notoriety of the Fact charg'd upon this Prisoner, and upon the whole matter they are resolved, and have agreed upon a Sentence to be now pronounced against this Prisoner: but in respect he doth desire to be heard, before the Sentence be read, and pronounc'd, the Court hath resolved that they will hear him; yet Sir, thus much I must tell you before-hand, which you have been minded of at other Courts, That if that you have to say be to offer any debate concerning Jurisdiction, you are not to be heard in it, you have offered it formerly, and you have indeed struck at the root, that is the power and *Supreme Authority of the Commons of England*, which this Court will not admit a debate of, and which indeed is an irrational thing in them to do, being a Court that acts upon *Authority* derived from them, that they should presume to judge upon their Superior, from whom there's no Appeal. But Sir, if you have any thing to say in defence of your self concerning the matter charged, the Court hath given

Given me in command to let you know they
will hear you.

The King. Since that I see that you will
not hear any thing of debate concerning that
which I confess I thought most material for
the peace of the Kingdom, and for the Liberty
of the Subject; I shall wave it, I shall speak
nothing to it, but only I must tell you, That
this many a day all things have been taken a-
way from me, but that that I call more dearer
to me then my life, which is, *My Conscience*
and *my Honor*; and if I had respect to my Life
more then the Peace of the Kingdom, the Li-
berty of the Subject, certainly I should have
made a particular defence for my self, for by
that at leastwise I might have delayed an ugly
Sentence, which I believe will pass upon me;
Therefore certainly Sir, as a man that hath
some understanding, some knowledge of the
world, if that my true zeal to my *Country* had
not over-born the care that I have of
my own preservation, I should have gone ano-
ther way to work then that I have done; Now
Sir I conceive, That an hasty Sentence once
past may sooner be repented then recalled, and
truly, the self-same desire that I have for the
Peace of the Kingdom, and the Liberty of the
Subject, more then my own particular, does
make me now at last desire, That having some-
thing

thing for to say that concerns both, I desire before *Sentence* be given, that I may be heard in the *Painted-Chamber* before the Lords and Commons, this delay cannot be prejudicial to you whatsoever I say, if that I say no reason, those that hear me must be Judges, I cannot be Judge of that that I have, if it be reason, and really for the welfare of the Kingdom, and the Liberty of the Subject, I am sure on't very well tis worth the hearing; Therefore I do conjure you, as you love that that you pretend, I hope it's real, the Liberty of the Subject, the Peace of the Kingdom, that you will grant me the hearing before any *Sentence* be past, I only desire this, that you will take this into your consideration, it may be you have not heard of it before hand, if you will I'll retire, and you may think of it, but if I cannot get this Liberty, I do here protest that so false shews of Liberty and Peace are pure shews, and not otherwise, then that you will not hear your KING.

Lord President. Sir, you have now spoken.

King. Yes Sir.

Lord President. And this that you have said is a further declining of the Jurisdiction of this Court, which was the thing wherein you were limited before

King.

King. Pray excuse me Sir, for my interruption, because you mistake me, It is not a declining of it, you do judge me before you hear me speak, I say it will not, I do not decline it, though I cannot acknowledge the Jurisdiction of the Court; Yet Sir, in this give me leave to say, I would do it, though I did not acknowledge it in this, I do protest it is not the declining of it, since I say, if that I do say any thing but that that is for the Peace of the Kingdom, and the Liberty of the Subject, then the blame is mine. Now I desire, that you will take this into your consideration, if you will I'll withdraw.

Lord President. Sir, This is not altogether new that you have moved unto us, nor altogether new to us, though the first time in Person you have offered it to the Court. Sir, you say you do not Decline the Jurisdiction of the Court.

King. Not in this that I have said.

Lord President. I understand you well Sir, but nevertheless that which you have offered, seems to be contrary to that saying of yours; for the Court are ready to give a Sentence: it is not as you say, That they will not hear your King; for they have been ready to hear you, they have patiently waited your pleasure for three Courts together, to hear what you

you would say to the Peoples Charge against you, to which you have not vouchsafed to give any Answer at all; Sir, This tends to a further delay: Truly Sir, such delays as these neither may the Kingdom, nor Justice well bear; You have had three several daies to have offered in this kind what you would have pleased; This Court is founded upon that *Authority of the Commons of England, in whom rests the Supreme Jurisdiction*; That which you now tender is to have another Jurisdiction, and a *Co-ordinate Jurisdiction*, I know very well you express your self. Sir, That notwithstanding that you would offer to the Lords and Commons in the *Painted Chamber*, yet nevertheless you would proceed on here, I did hear you say so; but Sir, That you would offer there, what ever it is, it must needs be in delay of the Justice here, so as if this Court be resolved, and prepared for the *Sentence*, this that you offer they are not bound in Justice to grant; but Sir, according to that you seem to desire, and because you shall know the further pleasure of the Court upon that which you have moved, the Court will withdraw for a time.

King. Shall I withdraw?

Lord President. Sir, Yow shall know the pleasure of the Court presently, the Court withdraws for half an hour into the Court of Wards

Ser-

Sergeant at Arms, the Court gives command that the Prisoner be withdrawn, and they give order for his return again.

The Court withdraws for half an hour and returns.

Lord President. Sergeant at Arms, send for your prisoner.

Sir, you were pleased to make a motion here to the Court to offer a desire of yours touching the propounding of somewhat to the Lords in the Painted Chamber for the Peace of the Kingdom; Sir, you did in effect receive an Answer before the Court adjourned; Truly Sir, their withdrawing and adjournment was *pro forma tantum*, for it did not seem to them that there was any difficulty in the thing; they have considered of what you have moved, and have considered of their own Authority, which is founded, as hath been often said, upon the *Supremacy* *Assenting* of the Commons of England Assembled in Parliament. The Court acts accordingly to their Commission. Sir, the return I have to you from the Court, is this; That they have been too much delayed by you already, and this that you now offer hath occasioned some little further delay; and they are JUDGES appointed by the highest JUDGES; and Judges are

no more to delay then they are to deny Justice, they are good words in the old Charter of England, *Nulli negabimus, nulli vendemus, nulli deferremus Justitiam*. There must be no delay, but the truth is Sir, and so every man here observes it, That you have much delayed them in your contempt and default, for which they might long since have proceeded to judgment against you, and notwithstanding what you have offered, they are resolved to proceed to punishment, and to Judgment, and that is their unanimous resolution.

King. Sir, I know it is in vain for me to dispute, I am no *Sceptick* for to deny the Power that you have, I know that you have Power enough; Sir, I confess, I think it would have been for the Kingdoms Peace, if you would have taken the pains for to have shewn the lawfulness of your Power, for this delay that I have desired, I confess it is a delay, but it is a delay very important for the Peace of the Kingdom, for it is not my Person that I look on alone, it is the Kingdoms well-fare, and the Kingdoms Peace, it is an old Sentence, *That we should think on long before we have resolved of great matters suddenly*, Therefore Sir, I do say again, That I do put at your doors all the inconveniency of an hasty Sentence, I confess, I have been here now I think this week,

this

this day eight days was the day I came here first, but a little delay of a day or two further may give Peace, whereas an *hasty Judgement* may bring on that trouble and perpetual inconvenience to the Kingdom; That the child that is unborn may repent it; and therefore again, out of the Duty I owe to God, and to my Country, I do desire that I may be heard by the Lords and Commons in the *Painted Chamber*, or any other Chamber that you will appoint me.

Lord Pres. Sir, you have bin already answer'd to what you even now moved, being the same you moved before, since the Resolution and the Judgement of the *Court* in it, and the *Court* now requires to know whether you have any more to say for your self, then you have said, before they proceed to Sentence.

King. I say this Sir, That if you will hear me, if you will give me but this delay, I doubt not but I shall give some satisfaction to you all here, and to my People after that, and therefore I do require you, as you will answer it at the dreadfull day of Judgment, that you will consider it once again.

Lord President. Sir, I have received direction from the *Court*.

King. Well Sir.

Lord President. If this must be re-enforc'd, or

any

any thing of this nature, your answer must be the same, and they will proceed to *Sentence* if you have nothing more to say.

King. Sir, I have nothing more to say, but I shall desire that this may be entered what I have said.

Lord President. The *Court* then, Sir, hath something else to say unto you, which although I know it will be very unacceptable, yet notwithstanding they are willing, and are resolv'd to discharge their Duty,

Sir, you spake very well of a precious thing that you call Peace, and it had been much to be wished that God had put it into your heart, that you had as effectually and really endeavoured and studied the Peace of the Kingdom, as now in words you seem to pretend; but as you were told the other day, *Actions must expound Intentions*, yet Actions have been clean contrary; and truly Sir, it doth appear plainly enough to them, That you have gone upon very erroneous principles, the Kingdom hath felt it to their smart, and it will be no ease to you to think of it, for Sir, you have held your self, and let fall such Language, as if you had been no ways Subject to the Law, or that the Law had not been your Superiour. Sir, The *Court* is very well sensible of it, and I hope so are all the understanding People of England,

That

That the Law is your Superiour; That you
 ought to have ruled according to the Law, you
 ought to have done so: Sir, I know very well
 your pretence hath been that you have done so,
 but Sir, the difference hath been who shall be
 the *Expofitors of this Law*; Sir, whether you
 and your Party out of Courts of Justice shall
 take upon them to expound Law, or the
Courts of Justice, who are the Expounders;
 nay, the Sovereign and the *High Court of*
Justice, the PARLIAMENT of England;
 that are not only the *highest Expounders*, but
 the *sole makers of the Law*. Sir, for you to set
 your self with your single judgment, and those
 that adhere unto you, to set your self against
 the *highest Court of Justice*, that is not Law.
 Sir, as the Law is your Superior; so truly Sir,
 there is something that is Superior to the Law,
 and that is indeed the *Parents or Author* of the
 Law, and that is the *People of England*, For
 Sir, as they are those that at the first (as o-
 ther Countries have done) did choose to them-
 selves this *Form of Government*, even for Ju-
 stice sake, that Justice might be administered,
 that Peace might be preserved; so Sir, they gave
 Laws to their Governors, according to which
 they should Govern; and if those Laws should
 have proved inconvenient, or prejudiciall
 to the Publique, they had a power in them,

and reserved to themselves to alter as they shall see cause. Sir, it is very true, what some of your side have said, *Rex non habet parem in Regno* ; This Court will say the same, while KING, That you have not your Peer in some sense, for you are *major singulis*, but they will aver again, that you are *minor universis* ; and the same Author tels you, that in *exhibitione Juris*, there you have no power, but in
quasi minimus.

This we know to be Law, *Rex habet superiorem, Deum & Legem, etiam & curiam*, and so says the same Author ; and truly, Sir, he makes bold to go a little further, *Debent ei ponere frenum*, they ought to bridle him ; and Sir, we know very well the stories of old, Those Wars that were called the *Barons Wars*, when the Nobility of the Land did stand out for the Liberty and Property of the Subject, and would not suffer the Kings that did invade to play the Tyrants free, but called them to account for it, we know that truth, That they did *Frenum ponere*, But Sir, if they do forbear to do their Duty now, and are not so mindfull of their own Honor and the Kingdoms good, as the Barons of England of old were, certainly the Commons of England will not be unmindfull of what is for their preservation, and for their safety, *Iustitia fruendi causa Reges constituti*

constituti sunt. This we learn, the end of having Kings, or any other Governors, it's for the enjoying of Justice, that's the end. Now Sir, if so be the King will go contrary to that End, or any other Governor will go contrary to the end of his Government; Sir, he must understand that he is but an Officer in trust, and he ought to discharge that Trust, and they are to take order for the animadversion and punishment of such an offending Governor.

This is not Law of yesterday Sir, (since the time of the division betwixt you and your People,) but it is Law of old; And we know very well the *Authors* and the *Authorities* that do tell us what the Law was in that point upon the Election of Kings, upon the *Oath* that they took unto their People; and if they did not observe it, there were those things called *Parliaments*; The *Parliaments* were they that were to adjudge (the very words of the *Author*) *the plaints and wrongs done of the King and the Queen, or their Children, such wrongs especially when the People could have no where else any remedy.* Sir, that hath been the People of *England's* case, they could not have their remedy elsewhere but in *Parliament*.

Sir, *Parliaments* were ordained for that purpose to redress the grievances of the People, that was their main end; and truly Sir, if so

be that the Kings of England had been rightly mindfull of themselves, they were never more in *Majesty and State* then in the *Parliament*: but how forgetful some have been, *Stories* have told us; We have a miserable, a lamentable, a sad experience of it. Sir, by the old Laws of England, I speak these things the rather to you, because you were pleased to let fall the other day, you thought you had as much knowledge in the Law, as most Gentlemen in England, it is very well Sir. And truly Sir, it is very fit for the Gentlemen of England to understand that Law under which they must live, and by which they must be governed. And then Sir, the *Scripture* says, *They that know their Masters Will and do it not*, what follows? The Law is your Master, the Acts of *Parliament*.

The *Parliaments* were to be kept anciently we find in our old *Author* twice in the year, *That the subject upon any occasion might have a ready remedy and redress for his Grievance*. Afterwards by several Acts of *Parliament* in the days of your Predecessor *Edward the third*, they must have been once a year. Sir what the intermission of **PARLIAMENTS** hath been in your time it is very well known, and the sad Consequences of it, and what in the interim instead of these **PARLIAMENTS**, hath been by you by an high
 and

and *Arbitrary* hand introduced upon the People, that likewise hath been too well known and felt. But when God by his Providence had so far brought it about, that you could no longer decline the calling of a *Parliament*, Sir, yet it will appear what your ends were against the Ancient and your *Native Kingdom of SCOTLAND*: The *Parliament of England* not serving your ends against them, you were pleased to dissolve it. Another great necessity occasioned the calling of this *Parliament*, and what your Designs and Plots and endeavours all along have been for the crushing and confounding of this *Parliament*, hath been very notorious to the whole Kingdom; And truly Sir, in that you did strike at all; That had been a sure way to have brought about that that this Charge laies upon you, *Your Intention to Subvert the FUNDAMENTAL LAWS of the Land*. For the great Bulwark of the *Liberties of the People*, is the *PARLIAMENT of England*; and to Subvert and Root up that, which your aim hath been to do, certainly at one blow you had confounded the liberties and the property of *England*.

Truly Sir, it makes me call to minde, I cannot forbear to express it, for Sir, we must deal plainly with you; according to the merits

merits of your cause, so is our Commission, it makes me call to mind (these proceedings of yours) That we read of a great *Roman Emperor*, by the way let us call him a great *Roman Tyrant*, *Caligula*, *That wisht that the People of Rome had had but one neck, that at one blow he might cut it off* and your proceedings hath been somewhat like to this; for the body of the People of England hath been (and where else) represented but in the Parliament, and could you have but confounded that, you had at one blow cut off the neck of *England*: But God hath reserved better things for us, and hath pleased for to Confound your designs, and to break your Forces, and to bring your Person into Custody that you might be responsible to Justice.

Sir, we know very well, That it is a question on your side very much prest, *by what President we shall proceed?* Truly Sir, for *Presidents*, I shall not upon these occasions institute any long discourse, but it is no new thing to cite *Presidents* almost of all *Nations*, where the People (when power hath been in their hands) have been made bold to call their Kings to account, and where the change of *Government* hath been upon occasion of the *Tyranny and Mis-Government* of those that have been placed over them; I will not spend time to
men-

mention *France*, or *Spain*, or the *Empire*, or other Countries, volumes may be written of it; But truly Sir, that of the Kingdom of *Aragon*, I shall think some of us have thought upon it, when they have the Justice of *Aragon*, that is a man *tantum in medio positus*, betwixt the King of *Spain*, and the people of the Country, that if wrong be done by the King, he that is the King of *Aragon*, the Justice hath power to reform the wrong, and he is acknowledged to be the Kings Superiour, and is the grand preserver of their priviledges, and hath prosecuted Kings upon their miscarriages.

Sir, What the Tribunes of *Rome* were heretofore, and what the *Ephori* were to the *Lacedemonian State* we know, that is the Parliament of *England* to the *English State*; and though *Rome* seemed to lose it's *Liberty* when once the Emperors were; yet you shall find some famous Acts of Justice even done by the *Senate of Rome*, that great Tyrant of his time *Nero*, condemned and judged by the *Senate*. But truly Sir, to you I should not mention these Foreign examples and stories. If you look but over *Tweed*, we find enough in your native Kingdom of *Scotland*, If we look to your first King *Fergusus* that your stories make

mention of, he was an elective King, he dyed, and left two Sons both in their minority, the Kingdom made choyce of their Uncle his Brother to govern in the *minority*; afterwards the elder Brother giving small hopes to the people that he would rule or govern well, seeking to supplant that good Uncle of his, who governed then justly, they set the elder aside, and took to the younger. Sir, if I should come to what your stories make mention of, you know very well you are the 109. King of *Scotland*, for to mention so many Kings as that Kingdom, according to their power and priviledg, have made bold to deal withal, some to banish, and some to imprison, and some to put to death, it would be too long; and as one of your own Authors says, it would be too long to recite the manifold examples that your own stories make mention of; *Reges* (say they) we do create, we created Kings at first; *Leges, &c.* We imposed Laws upon them; and as they are chosen by the suffrages of the people at the first, so, upon just occasion, by the same suffrages they may be taken down again: and we will be bold to say, that no Kingdom hath yeilded more plentiful experience then that your Native Kingdom of *Scotland*, hath done concerning the deposition and the punishment of their offending and transgressing Kings, &c.

It is not far to go for an example neer you, your Grandmother set aside, and your Father an Infant crowned; and the *State* did it here in *England*, here hath not been a want of some examples, they have made bold (the Parliament, and the People of *England*) to call their Kings to account; there are frequent examples of it in the *Saxons* time, the time before the Conquest; since the Conquest there want not some presidents neither, King *Edward* the second, King *Richard* the second, were dealt with so by the Parliament, as they were deposed and deprived; and truly Sir, who ever shall look into their stories, they shall not finde the Articles that are charged upon them to come neer to that height and capitalness of Crimes that are layd to your charge, nothing neer.

Sir, You were pleased to say the other day wherein they dissent, and I did not contradict it, but take altogether, Sir, if you were as the Charge speaks, and no otherwise admitted King of *ENGLAND*, but for that you were pleased then to alledge, now that almost for a thousand years these things have been, stories will tell you, if you go no higher then the time of the Conquest, if you do come down since the Conquest, you are the Twenty fourth King from

William

William called the Conqueror, you shall find one half of them to come meerly from the State, and not meerly upon the point of *Discent*; it were easie to be instanced to you, the time must not be lost that way. And truly Sir, what a grave and learned Judge in his time and well known to you, and is since printed for posterity, *That although there was such a thing as a discent many times, yet the Kings of England ever held the greatest assurance of their Titles when it was declared by Parliament:* And Sir, your Oath, the manner of your Coronation doth shew plainly, That the Kings of England, although it's true by the Law the next Person in blood is designed; yet if there were just cause to refuse him, the people of England might do it. For there is a *Contract*, and Bargain made between the King and his People, and your Oath is taken, and certainly Sir, the Bond is reciprocal, for as you are the liege Lord, so they liege subjects, and we know very well that hath been so much spoken of, *Ligantia est duplex*, This we know now, the one tye, the one Bond, is the bond of perfection that is due from the Sovereign, the other is the Bond of Subjection that is due from the Subject, Sir if this Bond be once broken, farewell *Soveraignty*, *Subiectio trahit*, &c.

These things may not be denyed Sir, I speak

it the rather, and I pray God it may work upon your heart, that you may be sensible of your miscarriages. For whether you have been as by your Office you ought to be, a *Protector of England*, or the *destroyer of England*, let all *England* judge, or all the world that hath look'd upon it. Sir, though you have it by *Inheritance* in the way that is spoken of, yet it must not be denyed that your Office was an Office of Trust, and indeed, an Office of the highest Trust lodged in any single person; For as you were the grand *Administrator of Justice*, and others were as your *Delegates* to see it done throughout your Realms; If your great Office were to do Justice and preserve your People from wrong, and instead of doing that you will be the *great wrong doer your self*; If instead of being a *Conservator of the Peace*, you will be the *Grand disturber of the Peace*, surely this is contrary to your Office, contrary to your Trust. Now Sir, if it be an Office of *Inheritance*, as you speak of your Title by *Descend*, let all men know that great Offices are Seizable and Forfeitable, as if you had it but for a year and for your Life; Therefore Sir, it will concern you to take into your serious consideration your great miscarriages in this kind.

Truly Sir, I shall not particularize the many miscarriages

miscarriages of your Reign whatsoever, they are fambously known; it had been happy for the Kingdom, and happy for you too, if it had not been so much known, and so much felt; as the story of your miscarriages must needs be, and hath been already.

Sir, That that we are now upon by the command of the highest Court hath been and is to try and judge you for these great offences of yours. Sir, the Charge hath called you *Tyrant*, a *Traitor*, a *Murtherer*, and a *public Enemy to the Commonwealth of England*. Sir, It had been well, if that any of all these terms might rightly and justly have been spared, if any one of them at all.

King. *What say you?*
 Lord. *Profero* Truly Sir, We have been told, *Rex est dum bene Regit, Tyrannus qui populum opprimat*, and it so be that be the definition of a *Tyrant*; then see how you come short of it in your actions; whether the highest *Tyrant* by that way of *Arbitrary Government*, and that you have sought for to introduce, and that you have sought to put, you were putting upon the people, whether that was not as high an act of *Tyranny* as any of your predecessors were guilty of, nay, many degrees beyond it.

Sir, the term *Traitor* cannot be spared, we shall

shall easily agree it must denote and suppose a breach of Trust, and it must suppose it to be done by a Superior, and therefore Sir, as the People of *England* might have incurred that respecting you, if they had been truly guilty of it, as to the *definition of Law*, so on the other side, when you did break your Trust to the Kingdom, you did break your Trust to your Superior: For the Kingdom is that for which you were trusted. And therefore Sir, for this breach of Trust when you are called to account, you are called to account by your Superiors. *Minimus ad majorem in judicium vocat.* And Sir, the People of *England* cannot be so far wanting to themselves, which God having dealt so miraculously and gloriously for, they having power in their hands, and their *great Enemy*, they must proceed to do Justice to themselves, and to you; For, Sir, the Court could heartily desire, That you would lay your hand upon your heart and consider what you have done amiss, That you would endeavor to make your Peace with God. Truly Sir, These are your high Crimes, Tyranny and Treason.

There is a *third thing* too if those had not been, and that is *Murther*, which is layd to your charge. All the bloody *Murthers* that have been committed since this time that the

division was betwixt you and your People
 must be layd to your charge, that have been
 acted or committed in these late Wars. Sir, it
 is an heinous and crying sin; and truly Sir, if
 any man will ask us what *punishment* is due
 to a *Murderer*, Let Gods Law, let mans
 Law speak. Sir, I will presume that you are
 so well read in *Scripture* as to know what
 God himself hath said concerning *the shedding*
of mans blood; *Gen. 9. Numb. 35.* will tell
 you what the *punishment* is, and which this
Court in behalf of the Kingdom are sensible
 of, of that innocent blood that has been shed,
 whereby indeed the Land stands still defiled with
 that blood, & as the *revelation* hath it, *It can no way*
be cleansed but with the shedding of the blood
of him that shed this blood. Sir, we know no
Dispensation from this blood in that *Com-*
mandment, Thou shalt do no Murder; we
 do not know but that it extends to *Kings*, as
 well as to the meanest *Peasants*, the meanest
 of the People, the Command is universal. Sir,
 Gods Law forbids it, Mans Law forbids, nor
 do we know that there is any manner of *ex-*
ception, not even in mans Laws, for the *pun-*
ishment of *Murder* in you. Tis true, That in
 the case of Kings, every private hand was not
 to put forth it self to this work for their *Re-*
formation and *punishment*. But Sir, the Peo-
 ple

ple represented having power in their hands, had there been but one wilful act of *Murder* by you committed, had power to have convicted you, and to have punished you for it.

But then Sir, the weight that lies upon you in all those respects that have been spoken, by reason of your *Tyranny, Treason, breach of Trust*, and the *Murders* that have been committed, surely Sir, it must drive you into a sad *consideration* concerning your *eternal condition*: as I said at first, I know it cannot be pleasing to you to hear any such things as these are mentioned unto you from this Court, for so we do call our selves, and justifie our selves to be a *Court*, and a *High Court of Justice*, authorized by the highest and solemnest *Court* of the Kingdom, as we have often said; and although you do yet endeavor what you may to dis-court us, yet we do take knowledg of our selves to be such a *Court* as can administer Justice to you, and we are bound Sir, in *duty* to do it. Sir, all I shall say before the reading of your *Sentence*, it is but this; The *Court* does heartily desire, that you will seriously think of those evils that you stand guilty of. Sir, you said well to us the other day, you wisht us to have God before our eyes, Truly Sir, I hope all of us have so, that God that

we know is a King of Kings; and Lord of Lords, that God with whom there is no respect of persons, that God that is the avenger of innocent blood, we have that God before us, that God that does bestow a curse upon them that with-hold their hands from shedding of blood, which is in the case of *guilty Malefactors*, and that do deserve *death*; That God we have before our eyes, and were it not that the conscience of our duty hath called us unto this place, and this imployment, Sir, you should have had no appearance of a *Court* here: but Sir, we must prefer the discharge of our duty unto God, and unto the Kingdom, before any other respect whatsoever: and although at this time many of us, if not all of us, are severely threatened by some of your *party* what they intend to do, Sir, we do here declare, That we shall not decline or forbear the doing of our duty in the administration of Justice even to you, according to the merit of your offence, although God should permit those men to effect all *that bloody design* in hand against us. Sir, we will say, and we will declare it, as those Children in the fiery furnace, that would not worship the golden Image that *Nebuchadnezzar* had set up, *That their God was able to deliver them from that danger that they were near*
unto ;

unto; but yet if he would not do it, yet, notwithstanding that, they would not fall down and worship the Image: we shall thus apply it, That though we should not be delivered from those bloody hands and hearts that conspire the overthrow of the Kingdom in general, of us in particular, for acting in this great work of Justice, though we should perish in the work, yet by Gods grace, and by Gods strength, we will go on with it: And this is all our *Resolutions*. Sir, I say for your self, we do heartily wish, and desire, that God would be pleased to give you a sense of your sins, that you would see wherein you have done amiss, that you may cry unto him, that God would deliver you from *blood-guiltiness*. A good King was once guilty of *that particular thing*, and was clear otherwise, saving in the matter of *Uriah*. Truly Sir, the story tells us, that he was a *repentant* King, and it signifies enough that he had dyed for it, but that God was pleased to accept of him, & to give him his pardon, *thou shalt not die, but the child shall die, thou hast given cause to the enemies of God to blaspheme*.

King. I would desire onely one word before you give *sentence*, and that is, That you would hear me concerning those great *imputations* that you have layd to my charge.

Lord Presid. Sir, You must give me now

leave to go on, for I am not far from your *Sentence*, and your time is now past.

King. But I shall desire you will hear me a few words to you, for truly what ever *Sentence* you will put upon me, in respect of those heavy *imputations* that I see by your speech you have put upon me, Sir, It is very true that——

Lord Pres. Sir, I must put you in minde. Truly Sir I would not willingly, at this time especially, interrupt you in any thing you have to say that is proper for us to admit of, but Sir, you have not owned us as a Court, and you look upon us as a sort of people met together, and we know what language we receive from your party.

King. I know nothing of that.

Lord Pres. You dis-avow us as a Court, and therefore for you to address your self to us, not to acknowledg us as a Court to judg of what you say, it is not to be permitted; and the *truth* is, all along from the first time, you were pleased to dis-avow and dis-own us, the Court needed not to have heard you one word; For unless they be acknowledged a Court, and engaged, it is not proper for you to speak: Sir, we have given you too much *liberty* already, and admitted of too much delay, and we may not admit of any farther; were

were it proper for us to do, we should hear you freely, and we should not have declined to have heard you at large, what you could have said or proved on your behalf, whether for totally excusing, or for in part excusing those great and heinous charges that in whole or in part are layd upon you. But Sir, I shall trouble you no longer, your sins are of so large a dimension, that if you do but seriously think of them, they will drive you to a sad *consideration* of it, and they may improve in you a sad and serious *repentance*. And that the Court doth heartily wish that you may be so *penitent* for what you have done amiss, that God may have mercy at least-wise upon your *better part*. Truly Sir, for the other, it is our *parts and duties* to do that that the Law prescribes, we are not here *ſus dare*, but *ſus dicere*; we cannot be unmindful of what the Scripture tells us, *For to acquit the guilty is of equal abomination as to condemn the innocent*, we may not acquit the guilty; what sentences the Law affirms to a *Traitor, Tyrant, a Murderer, and a publike Enemy to the Country*, that sentence you are now to hear read unto you, and that is the sentence of the Court.

The Lord President commands the sentence to be read. Make an *O yes*, and command

silence while the sentence is read.

Oyes made. Silence commanded.

The Clerk read the sentence, which was drawn up in parchment.

Whereas the Commons of England in Parliament had appointed them an High Court of Justice for the trying of Charls Stuart King of England, before whom he had been three times convented, and at the first time a Charge of High Treason, and other Crimes and Misdemeanors, was read in the behalf of the Kingdom of England, &c.

Here the Clerk read the Charge.

Which Charge being read unto him as aforesaid, he the said *Charls Stuart* was required to give his Answer, but he refused so to do, and so exprest the several passages at his Tryal in refusing to answer.

For all which Treasons and Crimes, this Court doth adjudg, That the said Charls Stuart, as a Tyrant, Traytor, Murtherer, and a publique Enemy, shall be put to Death, by the severing his Head from his Body.

After the sentence read, the Lord President said;

This

This *sentence* now read and published, it is the *alt, sentence, judgment, and resolution* of the whole *Court*.

Here the *Court* stood up, as assenting to what the *President* said.

King. Will you hear me a word Sir?

Lord Pres. Sir, you are not to be heard after the *sentence*.

King. No Sir?

Lord Presid. No Sir, by your favor Sir. Guard, withdraw your Prisoner.

King I may speak after the *sentence*——

By your favor Sir, I may speak after the *sentence* ever.

By your favor (hold) the *sentence* Sir——

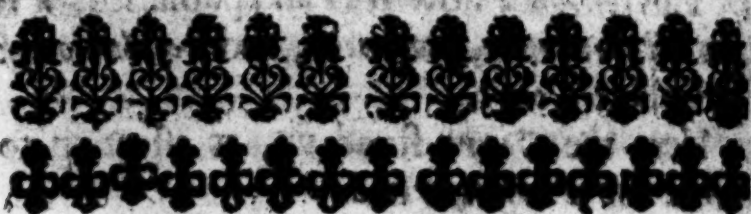
I say Sir I do——

I am not suffered for to speak, expect what Justice other people will have.

O Yes. All manner of persons that have any thing else to do, are to depart at this time, and to give their attendance in the painted Chamber, to which place this *Court* doth forthwith adjourn it self.

Then the *Court* rose, and the *King* went with his Guard to Sir *Robert Cottons*, and from thence to *Whitehall*.

King



King Charls

HIS

SPEECH

Made upon the SCAFFOLD at
Whitehall-Gate immediately
before his Execution.

Tuesday, January 30.

ABout ten in the Morning the King was brought from St. James's, walking on foot through the Park, with a Regiment of Foot, part before and part behinde him, with Colours flying, Drums beating, his private guard of *Partizans*, with some of his *Gentlemen* before, and some behinde bare-headed,

Dr

Dr *Jaxon* next behinde him; and Colonel *Thomlinson* (who had the charge of him) talking with the King bare-headed from the Park, up the stairs into the Gallery, and so into the *Cabinet-Chamber*, where he used to lie, where he continued at his *Devotion*, refusing to dine (having before taken the *Sacrament*) onely about an hour before he came forth, he drank a glass of *Claret wine*, and eat a piece of bread about twelve at noon.

From thence he was accompanied by Dr. *Jaxon*, Colonel *Thomlinson*, and other Officers, formerly appointed to attend him, and the private guard of *Partizans*, with *Muskettiers* on each side, through the *Banqueting-house* adjoyning, to which the Scaffold was erected, between *Whitehall-Gate*, and the *Gate* leading into the Gallery from *S. James's*: The Scaffold was hung round with black, and the floor covered with black, and the Ax and Block layd in the middle of the Scaffold. There were divers Companies of Foot, and Troops of Horse placed on the one side of the Scaffold towards *Kings-Street*, and on the other side towards *Charing-Cross*, and the multitudes of people that came to be Spectators very great.

The King being come upon the Scaffold, look'd very earnestly on the Block, and asked
Col.

Col. Hacken If there were no higher: and then spake thus (directing his Speech chiefly to Col. Thomlinson.)

King. I Shall be very little heard of any body here, I shall therefore speak a word unto you here: Indeed I could hold my peace very well, if I did not think that holding my peace would make some men think, that I did submit to the guilt, as well as to the punishment: but I think it is my duty to God first, and to my Country, for to clear my self both as an honest man, a good King, and a good Christian. I shall begin first with my Innocency, Introth I think it not very needful for me to insist long upon this, for all the world knows that I never did begin a War With the two Houses of Parliament, and I call God to witness, to Whom I must shortly make an account, That I never did intend for to incroach upon their Priviledges, they began upon me, it is the Militia they began upon, they confest that the Militia was mine, but they thought it fit for to have it from me: and to be short, if any body will look to the dates of Commissions, of their Commissions and mine, and likewise to the Declarations, will see clearly that they began these unhappy Troubles, not I: so
that

that as the guilt of these enormous Crimes
 that are layd against me, I hope in God that
 God will clear me of it, I will not, I am in
 charity: God forbid that I should lay it upon
 the two Houses of Parliament, there is no
 necessity of either, I hope they are free of this
 guilt: for I do beleve that ill Instruments
 between them and me, has been the chief cause
 of all this blood-shed: so that by way of speak-
 ing, as I finde my self clear of this, I hope
 (and pray God) that they may too: yet for
 all this, God forbid that I should be so ill a
 Christian, as not to say that Gods judgments
 are just upon me: Many times he does pay
 Justice by an unjust Sentence, that is ordi-
 nary: I will onely say this, That
 an unjust Sentence * that I * Strafford.
 suffered for to take effect, is
 punished now by an unjust Sentence upon me,
 that is, so far I have said, to shew you that I
 am an innocent man.

Now for to shew you that I am a good
 Christian: I hope there is * a * Pointing to
 good man that will bear me Dr. Juxon.
 witness, That I have forgiven
 all the world, and even those in particular
 that have been the chief causers of my death;
 who they are, God knows, I do not desire to
 know, I pray God forgive them, But this

is not all, my Charity must go farther; I wish that they may repent, for indeed they have committed a great sin in that particular: I pray God with St. Stephen, That this be not layd to their charge, nay, not onely so, but that they may take the right way to the Peace of the Kingdom, for my Charity commands me, not onely to forgive particular men, but my Charity commands me to endeavor to the last gasp the Peace

*Turning to some Gentlemen that wrote. of the Kingdom: So (Sirs) I do wish with all my Soul, and I do hope (there is * some here will carry it further) that they may endeavor the Peace of the KINGDOM.

Now (Sirs) I must shew you both how you are out of the way, and will put you in the way: First, you are out of the way, for certainly all the way you ever have had yet; as I could finde by any thing, is in the way of Conquest; certainly this is an ill way, for Conquest (Sir) in my opinion is never just, except there be a good just Cause, either for matter of Wrong or just Title, and then if you go beyond it, the first quarrel that you have to it, that makes it unjust at the end that was just at first: But if it be onely matter of Conquest, then it is a great Robbery: as a Pirat said to Alexander, that

that He was the great Robber, he was but a petty Robber: and so, Sir, I do think the way that you are in, is much out of the way. Now Sir, for to put you in the way, believe it you will never do right, nor God will never prosper you, until you give God his due, the King his due (that is, my Successors) and the People their due: I am as much for them as any of you: You must give God his due, by regulating rightly his Church (according to his Scripture) which is now out of order: For to set you in a way particularly now I cannot, but only this, A National Synod freely called, freely debating among themselves, must settle this, when that every Opinion is freely and clearly heard.

For the King, indeed I will not (then turning to a Gentleman that touched the Ax, said, Hurt not the Ax, * Meaning if that way hurts me *. For the he did blame King) the Laws of the Land the edg, will clearly instruct you for that, therefore because it concerns my own particular, I only give you a touch of it.

For the people: And truly I desire their Liberty and Freedom as much as any body whomsoever, but I must tell you, That their Liberty and their Freedom consists in having of Government; those Laws, by which their
Life

Life and their Goods may be most their own. It is not for having share in Government (Sir) that is nothing pertaining to them; A Subject and a Sovereign are clean different things, and therefore until they do that, I mean, That you do put the People in that Liberty as I say, certainly they will never enjoy themselves.

Sirs, It was for this that now I am come here: If I would have given way to an Arbitrary way, for to have all Laws changed according to the power of the Sword, I needed not to have come here, and therefore I tell you (and I pray God it be not layd to your charge) That I am the Martyr of the People.

Intrath Sirs, I shall not hold you much longer, for I will onely say this to you, That intruth I could have desired some little time longer, because that I would have put this that I have said in a little more order, and a little better digested, then I have done, and therefore I hope you will excuse me.

I have delivered my Conscience, I pray God that you do take those courses that are best for the good of the kingdom & your own salvations.

Dr. Juxon. Will your Majesty (though it may be very well known your Majesties affections to Religion, yet it may be expected that you should) say somewhat for the Worlds satisfaction.

King.

King. I thank you very heartily (my Lord for that I had almost forgotten it. Introth Sirs, My Conscience in Religion I think is very well known to all the world, and therefore I declare before you all, That I dye a Christian, according to the profession of the Church of England, as I found it left me by my Father, and this honest man * I think will witness it. Then turning to the Juxon, Officers, said; Sirs, excuse me for this same, I have a good cause, and I have a gracious God, I will say no more. Then turning to Colonel Hacker, he said; Take care they do not put me to pain, and Sir this, and it please you; But then a Gentleman coming neer the Ax, The King said, Take heed of the Ax, pray take heed of the Ax, Then the King speaking to the Executioner, said, I shall say but very short Prayers, and when I thrust out my hands ——— Then the King called to Doctor Juxon for his Night-cap, and having put it on, he said to the Executioner, Does my hair trouble you? who desired him to put it all under his Cap, which the King did accordingly by the help of the Executioner and the Bishop. Then the King turning to Doctor Juxon, said, I have a good Cause and a gracious God on my side.

Doctor Juxon. There is but one Stage more.

This Stage is turbulent and troublesome ; it is a short one : But you may consider, it will soon carry you a very great way : it will carry you from earth to heaven ; and there you shall find a great deal of cordial joy and comfort.

King. *I go from a corruptible to an incorruptible Crown; where no disturbance can be, no disturbance in the world.*

Doctor Juxon. You are exchanged from a Temporal to an Eternal Crown, a good exchange.

The King then said to the Executioner, is my hair well ? Then the King took off His Cloak and his George, giving his George to Doctor Juxon, saying, Remember* ———

* *It is thought* Then the King put off his *for to give it to* Dublet, and being in his *the Prince.* Waistcoat, put his Cloak on again, then looking upon the Block, said to the Executioner, *You must set it fast.*

Executioner. It is fast Sir.

King. *It might have been a little higher.*

Executioner. It can be no higher Sir.

King. *When I put out my hands this way,*
* *Stretching* * *then* ———
them out.

After that having said two or three words (as he stood) to himself, with hands and Eyes lift up ; Immediately stooping down, laid his neck upon the Block: And then
the

the Executioner again putting his hair under his Cap, the King said (Thinking he had been going to strike) stay for the sign.

Executioner. Yes, I will, and it please your Majesty.

And after a very little pause, the King stretching forth his hands, The Executioner at one blow severed his head from his body.

That when the Kings head was cut off, the Executioner held it up, and shewed it to the Spectators.

And his Body was put in a Coffin covered with black Velvet for that purpose, and conveyed into his Lodgings there: And from thence it was carried to his house at *S. James's*, where his body was put in a Coffin of lead, laid there to be seen by the people; and about a fortnight after it was carried to *Windsor*, accompanied with the Duke of *Lenox*, the Marquess of *Hartford*, and the Earl of *Southampton*, and Doctor *Iuxon*, late Bishop of *London*, and others, and Interred in the Cappel-Royal in the Vault with King *Henry* the eight, having only this Inscription upon his Coffin. *Charls, King of England, &c.* 1648.

Sic transit Gloria Mundi

F I N I S.

...to the ... his ...
... in ...
... and ...

... the King ...
... the ...
... the ...

... a ... covered
... and ...
... and ...



... was ...
... and ...
... in ...
... any ...
... 1843

The ...

...

THE SEVERAL
SPEECHES
OF
Duke *Hamilton*, Earl of
CAMBRIDGE,
HENRY Earl of
HOLLAND,
AND
ARTHUR Lord CAPEL,
UPON THE
SCAFFOLD

Immediately before their
EXECUTION, on Friday
March 9. 1649.

Also the several Exhortations,
and Conferences with them upon
the SCAFFOLD,

BY

D. Sibbald, M. Bolton, & M. Hodges.

*London, Printed for Peter Cole, Francis Ty-
son, and John Playford. 1650.*

THE SEVERAL

SPEECHES

OF

James Hamilton, Esq. of

CAMBRIDGE

Henry Esq. of

HOLLAND

AND

Arthur Lord Carter

UPON

SCAFFOLD

Immediately before their

Execution, on Friday

March 9. 1649.

And the several Exhortations

and Confessions with them upon

the SCAFFOLD.

BY

D. Sibbald, M. B. & M. H. H. H.

London, Printed for J. Sturges, at the Sign of the Gun, in St. Dunstons Church-yard, 1650.



*The several speeches of the
Earl of Cambridg, the
Earl of Holland, and
the Lord Capel, upon the
Scaffold, &c.*

UPON Friday the ninth of this instant, being the day appointed for the Execution of the Sentence of Death upon the Earl of Cambridg, the Earl of Holland, and the Lord Capel, about ten of the Clock that morning L. Col. Beecher came with his Order to the several Prisoners at S. James's requiring them to come away; According to which Order they were carried in Sedans with a Guard, to Sir Thomas Costons house at Westminster,

minster, where they continued about the space of two hours, passing away most of that time in Religious and seasonable Conferences with the Ministers there present with them. After which, being called away to the Scaffold, it was desired, that before they went, they might have the opportunity of commending their souls to God by Prayer, which being readily granted, and the room voyded, Mr. *Bolton* was desired by the Lord of *Holland* to take the pains with them, which was accordingly done with great appearance of solemn Affection among them. Prayer being concluded, and hearty thanks returned by them all to the Minister who performed, as also to the rest who were their assistants in this sad time of trouble; the Earl of *Cambridg* prepared first to go towards the place of Execution; and after mutual embraces, and some short ejaculatory expressions, to and for his Fellow-sufferers, he took his leave of them all, and went along with the Officers, attended upon by Dr. *Sibbald*, whom he had chosen for his Comforter in this his sad condition.

The Scaffold being erected in the new Palace-yard at *Westminster*, over against the great Hal-Gate, in the sight of the place where the *High Court of Justice* formerly sat (the Hal-doors being open,) there was his Excellencies

lencies Regiment of Horse commanded by Cap. *Disber*, and several Companies of Col. *Hewson* and Colonel *Prides* Regiments of Foot drawn up in the place: When the Earl came from *Westminster-Hall* nere the Scaffold, he was met by the Under-Sheriff of *Middlesex*, and a Guard of his men, who took the charge of him from Lievt. Col. *Beecher* and the Partizans that were his Guard; The Sheriff of *London* being also, according to command from the *High Court of Justice*, present to see the Execution performed.

The Earl of *Cambridge* being come upon the Scaffold, and two of his own servants waiting upon him, he first spake to the Doctor as followeth:

Earl of Cambridge.

Whether shall I Pray first?

Dr. Sibbald.

As Your Lordship pleases.

Earl of Cambridge.

My Lord of *Denbigh* has sent to speak with me.

I know not the fashion. I may ask you Sir; Do these Gentlemen expect I should say any thing to them, or no; They cannot hear.

Dr. Sibbald.

There will be a greater silence by and by. It will not be amiss, if your Lordship defer your speak.

speaking till you hear from his Lordship.

Cambridg.

There is something in it. He was with the House.

Dr. Sibbald.

I suppose he would give no interruption to your Lordship, at this time, were there not something of concernment in it.

Cambridg.

He is my Brother, and has been a very faithful servant to this State, and he was in great esteem and reputation with them.

He is in the Hall, and sent to speak with a Servant of mine, to send something to me.

Dr. Sibbald.

It will not lengthen the time much if you stay while you have a return from him. My Lord, you should do well to bestow your time now in meditating upon and imploring of the Free-mercy of God in Christ for your Eternall Salvation, and look upon that ever-streaming Fountain of his precious Blood, that purgeth us from all our sins, even the sins of the deepest dye. The Blood of Jesus Christ washes away all our sins, and that Blood of Christ is poured forth upon all such as by a lively Faith lay hold upon him. God so loved the world, that he gave his only begotten Son, to the end, that whosoever believed in him should not perish, but

That have everlasting Life ; That is now, my
Lord, the Rock on which you must chiefly rest,
and labor to fix your self in the Free-mercy of
God through Christ Jesus, whose mercies are,
from everlasting to everlasting, unto all such as
with the Eye of Faith behold him: Behold Je-
sus the Author and Finisher of your Salvati-
on, who hath satisfied the Justice of God by
that Al-sufficiency of his Sacrifice, which
once for all he offer'd upon the Cross for the
sins of the whole World, so that the sting of
Death is taken away from all believers, and he
hath sanctified it as a passage to everlasting
blessedness: It is true, the Watend of Jordan
run somewhat rough and surly, betwixt the
Wilderness and our passage into Canaan ; but
let us rest upon the Ark (my Lord) the Ark
Christ Jesus, that will carry us through and a-
bove all those waves to that Rock of Ages,
which no flood nor waves can reach unto, and
to him who is yesterday, to day, and the same
for ever, against whom the Powers and Prin-
cipalities, the Gates of Hell, shall never be a-
ble to prevail ; Lift up and fasten your eyes
now upon Christ Crucified, and labor to be-
hold Jesus standing at the right hand of his
Father, (as the Protomartyr Stephen) ready
to receive your Soul, when it shall be separa-
ted from this Frail and Mortal body ; Alas,
no

no man would desire Life, if he knew beforehand what it were to live, it is nothing but sorrow, vexation and trouble, grief and discontent that waits upon every condition, whether publique or private; in every station and calling there are several miseries and troubles that are inseparable from them; Therefore what a blessed thing it is to have a speedy and comfortable passage out of this raging sea, *into the Port of everlasting Happiness*: We must pass through a Sea, but it is the Sea of Christ Blood in which never Soul suffered shipwrack, in which we must be blown with winds and Tempests, but they are *the Gales of Gods Spirit upon us*, which blow away all contrary winds of diffidence in his Mercy.

Here one acquainting the Earl, his servant was coming, he answered, So Sir; And turning to the under-Sheriffs son, said,

Cambridg.

Sir, have you your Warrant here?

Sheriff.

Yes, my Lord, we have a Command.

Cambridg.

A Command.

I take this time, Sir, of staying, in regard of the Earl of *Denbighs* sending to speak with me; I know not for what he desires me to stay.

Dr.

Dr. Sibbald.

I presume Mr. Sheriff will not grudge your Lordship a few minutes time, when so great a work as this is in hand.

His Lordships servant being returned, and having delivered his Message to the Earl of *Cambridg* privately, he said, So, it is done now; and then turning to the Front of the Scaffold, before which (as in all the rest of the Pallace) there was a great concourse of people, He said;

Earl of Cambridg.

I think it is truly not very necessary for me to speak much, there are many Gentlemen and Souldiers there that sees me, but my voyce is so weak, so low, that they cannot hear me, neither truly was I ever at any time so much in love with speaking, or with any thing I had to express, that I took delight in it; yet this being the last time that I am to do so, by a Divine Providence of Almighty God, who hath brought me to this end justly for my sins. I shall to you Sir, Mr. Sheriff, declare thus much, as to the matter that I am now to suffer for, which is, as being a Traytor to the Kingdom of England: Truly Sir, it was a
Country

Country that I equally loved with my own, I made no difference, I never intended either the generalist of it's prejudice, or any particular mans in it; What I did was by the Command of the Parliament of the Country where I was born, whose Commands I could not disobey, without running into the same hazard there, of that condition that I am now in: The ends, Sir, of that Engagement is publique, they are in Print, and so I shall not need to specify them.

Dr. Sibbald.

The Sun perhaps will be too much in your Lordships face; as you speak.

Cambridg.

No Sir, it will not burn it. I hope I shall see a brighter Sun then this, Sir, very speedily.

Dr. Sibbald.

The Sun of Righteousness. my Lord.

Cambridg.

(But to that which I was saying Sir.) It pleased God so to dispose that Army under my Command, as it was ruined; and I, as their General, clothed with a Commission, stand here, now ready to dye; I shall not trouble you with repeating of my Plea, what I said in my own Defence at the Court of JUSTICE, my self being satisfied with the Commands that

that are laid upon me, and they satisfied with the justness of their procedure, according to the Laws of this Land. God is just, and howsoever I shall not say any thing as to the matter of the Sentence, but that I do willingly submit to his Divine Providence, and acknowledge that very many ways I deserve even a wordly punishment, as well as hereafter, for we are all sinful, Sir, and I a great one; yet for my comfort I know there is a God heaven that is exceeding merciful; I know my Redeemer sits at his right hand, and am confident (clapping his hand to his brest) is mediating for me at this instant, I am hopeful through his Free-Grace and al-sufficient merits, to be pardoned of my sins, and to be received into his mercy, upon that I rely, trusting to nothing but the Free-Grace of God through Jesus Christ, I have not been tainted with my Religion I thank God for it, since my Infancy it hath been such as hath been profest in the Land, and established, and now 'tis not this Religion, or that Religion, nor this or that fancy of men that is to be built upon, 'tis but one that's right, one that's sure, and that comes from God, Sir, and in the Free-Grace of our Saviour. Sir, *Observe there is truly something that* (had I thought my Speech would have Writers been thus taken) I would have digested

Red it into some better method then now I can,
and shall desire these Gentlemen that does
write it, that they will not wrong me in it, and
that it may not in this manner be published to
my disadvantage, for truly I did not intend to
have spoken thus when I came here.

There is, Sirs, terrible Aspersions has
been laid upon my self; truly such as, I thank
God, I am very free from; as if my actions
and intentions had not been such as they were
pretended for; but that notwithstanding what
I pretended it was for the King, there was no-
thing less intended then to serve him in it. I
was bred with him for many years, I was his
Domestique servant, and there was nothing
declar'd by the Parliament, that was not really
intended by me; and truly in it I ventured
my Life one way, and now I loose it another
way: and that was one of the ends, as to the
King; I speak only of that, because the rest
has many particulars, and to clear my self
from so horrid an Aspersion as is laid upon me:
neither was there any other design known to
me by the incoming of that Army, then what
is really in the Declaration published. His
Person, I do profess, I had reason to love, as
he was my King, and as he had been my Ma-
ster: it has pleased God now to dispose of him,
so as it cannot be thought flattery so have said
this

this, or any end in me for the saying of it, but to free myself from that Calumny which lay upon me: I cannot gain by it; yet truth is that which we shall gain by for ever.

There hath been much spoken, Sir, of an invitation into this Kingdom: it's mentioned in that Declaration, and truly to that I did, and do remit myself: and I have been very much laboured for discoveries of these Inviters. 'Tis no time to dissemble. How willing I was to have served this Nation in any thing that was in my power, is known to very many honest Pious and Religious men; and how ready I would have been to have done what I could to have served them, if it had pleased them to have preserved my Life, in whose hands there was a power: They have not thought it fit, and so I am become unuseful in that which willingly I would have done. As I said at first, Sir, so I say now concerning that point; I wish the Kingdoms happiness, I wish its peace; and truly Sir, I wish that this blood of mine may be the last that is drawn: and howsoever I may perhaps have some reluctancie with my self as to the matter of my suffering, for my Fact, yet I freely forgive all; Sir, I carry no rancor along with me to my grave: His will be done that has created both heaven and earth, and me a poor miserable sinful creature

now speaking before him. For me to speak, Sir, to you of State-business, and the Government of the Kingdom, or my opinion in that, or for any thing in that nature, Truly it is to no end, it contributtes nothing: My own inclination hath been to Peace, from the begining; and it is known to many, that I never was an ill instrument betwixt the King and his People; I never acted to the prejudice of the Parliament; I bore no Arms; I medled not with it; I was not wanting by my Prayers to God Almighty for the happiness of the King; and truly I shall pray still, that God may so direct him as that may be done which shall tend to his Glory, and the peace and happiness of the Kingdom.

I have not much more to say, that I remember of; I think I have spoken of my Religion.

Dr. Sibbald. Your Lordship has not so fully said it.

Cambridg. Truly I do believe I did say something.

Dr. Sibbald. I know you did, 'tis pleasing to hear it from your Lordship again.

Cambridg. Truly Sir, for the Profession of my Religion, That which I said was the established Religion, and that which I have practised in my own Kingdom where I was born
and

and bred; my Tenents they need not to be exprest, they are known to all, and I am not of a rigid opinion; many Godly men there is, that may have scruples which do not concern me at all at no time; they may differ in opinion, and more now then at any time; differing in Opinion does not move me (not any mans) my own is clear: Sir, The Lord forgive me my sins, and I forgive freely all those, that even I might as a Wordly man, have the greatest animosity against; We are bidden to forgive; Sir, 'Tis a Command laid upon us (and there mentioned) Forgive us our Trespases, as We forgive them that trespass against us.

Dr. Sibbald. 'Tis our Saviours Rule, Love your Enemies, blesse them that curse you, Pray for them that Persecute you, do good to them which despightfully use you.

Cambridge. Sir, it is high time for me to make an end of this, and truly I remember no more that I have to say, but to pray to God Almighty a few words, and then I have done.

Then kneeling down with Doctor Sibbald, He prayed thus.

MOST Blessed Lord, I thy poor and most unworthy Servant come to thee, presuming

ing in thy infinite mercy and the merits of Je-
 sus Christ, who sits upon the Throne, I come
 flying from that of Justice, to that of mercy,
 and tenderness for his sake which shed his
 blood for sinners, that he would take compas-
 sion upon me, that he will look upon me as one
 that graciously hears me, that he would look
 upon me as one that hath redeemed me, that he
 would look upon me as one that hath shed his
 blood for me, that he would look upon me as
 one who now calls and hopes to be saved by his
 Al-sufficient merits; for his sake, Glorious
 God, have compassion upon me in the freeness
 of thy infinite mercy, that when this sinful
 Soul of mine shall depart out of this frail car-
 cass of clay, I may be carried into thy ever-
 lasting Glory; O Lord, by thy Free-Grace, and
 out of thy infinite mercy bear me, and look
 down, and have compassion upon me; and thou
 Lord Jesus, thou my Lord, and thou my God,
 and thou my Redeemer, bear me, take pitty up-
 on me, take pitty upon me gracious God, and
 so deal with my soul, that by thy precious me-
 rits I may attain to thy Joy and Bliss; O Lord,
 remember me so miserable and sinful a crea-
 ture; Now thou O Lord, thou O Lord that
 dyed for me, receive me, and receive me into
 thy own bound of mercy; O Lord I trust in
 thee, suffer me not now to be confounded, Sa-
 tan

tan has had too long possession of this soule, O let him not now prevail against it, but let me, O Lord, from henceforth dwell with thee for evermore. Now Lord it is thy time to hear me, hear me gracious Iesus, even for thy own goodness, mercy, and truth; O Glorious God, O blessed Father, O holy Redeemer, O gracious Comforter, O holy and blessed Trinity, I doe render up my soule into thy hands, and commit it with the mediation of my Redeemer, praising thee for all thy dispensations that it has pleased thee to conser upon me, and even for this, praise, and honor, and thanks of this time forth for evermore.

Dr. Sibbald. My Lord, I trust you now behold with the Eye of Faith the Son of Righteousness shining upon your soul, and will cheerfully submit unto him, who hath redeemed us through his blood, even the blood of Iesus Christ, that you may appear at the Tribunal of God, clothed with the white robe of his unspotted Righteousness; The Lord grant that with the eye of Faith you may now see the heavens opened, and Iesus Christ standing at the right hand of God, ready to receive you into his arms of mercy.

Cambridge. Then the Earl turning to the Executioner, said, shall I put on another

Cap, must this hair be turned up from my neck? there are three of my servants to give satisfaction.

Dr. Sibbald. My Lord, I hope you are able to give all that are about you satisfaction, you are assured that God is reconciled unto you through the blood of Christ Jesus, and the Spirit of the Lord witnesseth to you that Christ is become now a Jesus unto you; My Lord, fasten the eyes of your Faith upon Jesus the Author and finisher of your salvation, who himself was brought to a violent death for the redemption of mankind, he cheerfully submitted to his Fathers good pleasure in it, and for us, blessed and holy is he that has part (my Lord) in the first resurrection; That is, in the first riser Jesus Christ, who is both the Resurrection and the Life, over him the second death shall have no power, 'tis the unspeakable joy of a believer, That at the hour of death his soul hath an immediate passage from this earthly Tabernacle to that Region of endless Glory, yea, to the presence of God himself, in whose presence there is fulness of joy, and at whose right hand there are pleasures for evermore.

Then the Earl of Cambridge, turning to the Executioner, said, which way is it that you would have me lie, Sir?

Execu

Executioner. The Executioner pointing to the front of the Scaffold, The Earl replied, What, my head this way? Then the Under-sheriffs son, said; My Lord, the Order is that you should lay your head towards the *High-Court of Justice.*

The Earl of *Cambridge*, after a little discourse in private with some of his servants, kneeled down on the side of the Scaffold, and prayed a while to himself.

When he had finished his prayers, *D. Sibbald* spake to him thus:

My Lord, I humbly beseech God, That you may now with a holy and Christian courage give up your soul to the hand of your Faithful Creator and gracious Redeemer; and not be dismayed with any sad apprehension of the Terrors of this death: And what a blessed and glorious exchange you shall make within a very few minutes!

Then with a Cheerful and smiling Countenance, The Earl embracing the Dr. in his Arms said,

Cambridge. Truly Sir, I do take you in mine arms, and truly, I bless God for it; I do not fear, I have an assurance that is grounded here; (laying his hand upon his heart.) Now that gives me more true joy then ever I had, I pass out of a miserable world to go into an Eternal

and glorious Kingdom; and Sir, though I have been a most sinful creature, yet Gods mercy I know is infinite, and I bless my God for it, I go with so clear a Conscience, That I know not the man that I have personally injured.

Dr. Sibbald. My Lord, it is a marvellous great satisfaction that at this last hour you can say so, I beseech the Lord for his eternal mercy strengthen your faith, that in the very moment of your dissolution, you may see the arms of the Lord Jesus stretched out ready to receive your soul.

Then the Earl of *Cambridg* embracing those his servants which were there present, said to each of them, You have been very faithful to me, and the Lord bless you.

Cambridg. Then turning to the Executioner, said,

I shall say a very short prayer to my God, while I lie down there: and when I stretch out my hand (my right hand) then Sir, do your duty; and I do freely forgive you, and so I do all the world.

Dr. Sibbald. The Lord in great mercy go along with you, and bring you to the possession of everlasting life, strengthening your Faith in Jesus Christ. This is a passage, my Lord, a short

short passage unto eternal glory. I hope, through the free grace of your gracious God, you are now able to say, *O Death, where is thy sting? O Grave! where is thy victory?* and to make this comfortable answer, *Blessed be God, blessed be God, who hath given me an assurance of victory through Christ Jesus.*

Then the Earl of *Cambridg* said to the Executioner, Must I lie all along?

Execut. Yes, and't please your Lordship.

Camb. When I stretch out my hands—— but I will fit my Head, first, tell me if I be right, and how you would have me lie.

Execut. Your shirt must be pin'd back, for it lies too high upon your shoulders, (which was done accordingly.)

Dr Sibbald. My Lord, now, now lift up your eyes unto Jesus Christ, and cast your self now into the everlasting arms of your most gracious Redeemer.

Then the Earl having layd his Head over the Block, said, Is this right?

Dr Sibbald. Jesus the Son of *David*, have mercy upon you.

Execut. Lie a little lower Sir.

Camb. Well, stay then till I give you the signe.

And so having layn a short space devoutly praying to himself, he stretched out his

right hand, whereupon the Executioner at one blow severed his Head from his Body, which was received by two of his Servants, then kneeling by him, into a Crimson Taffety Scarf, and that with the Body immediately put into a Coffin, brought upon the Scaffold for that purpose, and from thence conveyed to the house that was Sir JOHN HAMILTONS at the *Mews*, where it now remains.

This execution being done, the Sheriffs Guard went immediately to meet the Earl of *Holland*, which they did in the mid way between the Scaffold and *Westminster-Hall*, and the Under-Sheriffs son having received him into his charge, conducted him to the Scaffold, he taking Mr. *Bolton* all the way in his hand, passed all along to the Scaffold discoursing together: upon which being come, observing his voyce would not reach to the people, in regard the Guard compassed the Scaffold, he said:

Holland. It is to no purpose (I think) to speak any thing here. Which way must I speak? And then being directed to the front of the Scaffold, he (leaning over the rails) said; I think it is fit to say something, since God hath called me to this place. The first thing which I must profess, is, what con-

cerns

terms my Religion, and my breeding, which
 hath been in a good Family that hath ever
 been faithful to the true Protestant Religion,
 in the which I have been bred, in the which
 I have lived, and in the which by Gods grace
 and mercy I shall dye. I have not lived ac-
 cording to that education I had in that Fa-
 mily where I was born and bred: I hope God
 will forgive me my sins, since I conceive
 that it is very much his pleasure to bring
 me to this place for the sins that I have
 committed. The cause that hath brought
 me hither, I believe by many hath been much
 mistaken. They have conceived that I have
 had ill designs to the State, and to the King-
 dom: Truly I look upon it as a Judgment,
 and a just Judgment of God; not but I have
 offended so much the State, and the Kingdom,
 and the Parliament, as that I have had an
 extreme vanity in serving them very extra-
 ordinarily. For those actions that I have
 done, I think it is known they have been
 ever very faithful to the Publique, and
 very particularly to Parliaments. My af-
 fections have been ever express truly and
 clearly to them. The dispositions of affairs
 now have put things in another posture
 then they were when I was engaged with
 the Parliament. I have never gone off from
 those

those principles that ever I have professed: I have lived in them, and by Gods grace will dye in them. There may be alterations and changes that may carry them further then I thought reasonable, and truly there I left them: but there hath been nothing that I have said, or done, or professed, either by Covenant, or Declaration, which hath not been very constant, and very clear upon the principles that I ever have gone upon, which was to serve the King, the Parliament, Religion (I should have said in the first place) the Common-wealth, and to seek the Peace of the Kingdom: That made us think it no improper time, being pressed out by accidents and circumstances, to seek the Peace of the Kingdom, which I thought was proper, since there was something then in agitation, but nothing agreed on for sending Propositions to the King; that was the furthest aim that I had, and truly beyond that I had no intention, none at all. And God be praised, although my blood comes to be shed here, there was I think scarcely a drop of blood shed in that action that I was engaged in. For the present affairs, as they are, I cannot tell how to judg of them: and truly they are in such a condition, as (I conceive) no body can make a judgment of them: and therefore I must make use of my Prayers, rather then of

my opinion, which are, that God would bless this Kingdom, this Nation, this State; that he would settle it in a way agreeable to what this Kingdom hath been happily governed under; by a King, by the Lords, by the Commons: a Government that (I conceive) it hath flourish'd much under, and I pray God the change of it bring not rather a prejudice, a disorder, and a confusion, then the contrary. I look upon the Posterity of the King, and truly my Conscience directs me to it, to desire, that if God be pleased that these people may look upon them with that affection that they ow, that they may be called in again, & they may be, not through blood, nor through disorder, admitted again into that power, and to that glory, that God in their birth intended to them. I shall pray with all my Soul for the happiness of this State, of this Nation, that the blood which is here spilt, may be even the last which may fall among us: and truly I should lay down my life with as much cheerfulness as ever person did, if I conceived that there would no more blood follow us: for a State or Affairs that are built upon blood, is a foundation for the most part that doth not prosper.

After the blessing that I give to the Nation, to the Kingdom, and truly to the Parliament, I do wish with all my heart, happiness, and a blessing to all those that have been

authors

authors in this business; and truly that have been authors in this very work that bringeth us hither: I do not onely forgive them, but I pray heartily and really for them; as God will forgive my sins, so I desire God may forgive them.

I have a particular relation as I am Chancellor of Cambridg, and truly I must here, since it is the last of my prayers, pray to God that that University may go on in that happy way which it is in, that God may make it a Nursery to plant those persons that may be distributed to the Kingdom, that the Souls of the people may receive a great benefit, and a great advantage by them, and (I hope) God will re-

ward them for their kindness, and their affections that I have found from them. * Looking towards M. Bolton. * I have said what Religion I have been bred in, what Religion I have been born in, what Religion I have practised; I began with it, and I must end with it. I told you that my actions and my life have not been agreeable to my breeding, I have told you likewise that the Family where I was bred hath been an exemplary Family (I may say so I hope, without vanity) of much affection to Religion, and of much faithfulness to this Kingdom, and to this State. I have endeavour-

ed to do those actions that have become an honest man, and which became a good Englishman, and which became a good Christian. I have been willing to oblige those that have been in trouble, those that have been in persecution, and truly I finde a great reward of it; for I have found their prayers and their kindness now in this distress, and in this condition I am in, and I think it a great reward, and I pray God reward them for it.

I am a great sinner, and I hope God will be pleased to hear my prayers, to give me faith to trust in him, that as he hath called me to death at this place, he will make it but a passage to an eternal life through Jesus Christ, which I trust to, which I rely upon, and which I expect by the mercy of God. And so I pray God bless you all, and send that you may see this to be the last execution, and the last blood that is likely to be spilt among you. And then turning to the side-rail, he prayed for a good space of time; after which Mr Bolton said:

My Lord, now look upon him whom you have trusted. My Lord, I hope that here is your last prayer: there will no more prayers remain, but praises: And I hope that after this day is over, there will a day begin that shall never have end: And I look upon this (my Lord) the morning of it, the morning of that day.
My

My Lord, you know where your fulness lies, where your riches lie, where is your onely rock to anchor on. You know there is fulness in Christ: If the Lord comes not in with fulness of comfort to you, yet resolve to wait upon him while you live, and to trust in him when you dye, and then say, I will dye here, I will perish at thy feet, I will be found dead at the feet of Jesus Christ. Certainly, he that came to seek and save lost sinners, will not reject lost sinners when they come to seek him: He that intreateth us to come, will not slight us when we come to intreat him. My Lord, there is enough there, and fix your heart there, and fix your eyes there, that eye of Faith, and that eye of hope, exercise these graces now, there will be no exercise hereafter. As your Lordship said, here take an end of Faith, and take an end of Hope, and take a farewell of Repentance: and all these, and welcom *God*, and welcom Christ, and welcom Glory, & welcom Happiness to all Eternity; and so it will be a happy passage then, if it be a passage here from misery to happiness. And though it be but a sad way, yet if it will bring you into the presence of joy, although it be a vally of tears, although it be a shadow of death, yet if God wil please to bring you, and make it a passage to that happiness, welcom Lord. And I doubt not but *God* will give you a heart to taste

taste some sweetness and love in this bitter po-
 sition, and to see something of mercy and good-
 ness to you, and shew you some sign and token
 of good, so that your soul may see that which
 we have had already experience of (blessed be
 God for it) many experiences, many expressi-
 ons, not only in words, but tears; God hath
 not left us without much comfort nor evi-
 dence, and I hope, my Lord, you that have gi-
 ven so many evidences to us, I hope you want
 none your self; but that the Lord will be
 pleased to uphold and support you, and bear
 up your spirit, and if there want evidence,
 there is reliance; my security lies not in my
 knowing that I shall come to heaven, and come
 to glory, but in my resting and relying upon
 him: When the Anchor of Faith is thrown
 out, there may be shakings and tossings, but
 there is safety; nothing shall interrupt safety,
 although something may interrupt security;
 my safety is sure, although I apprehend it not:
 And what if I go to God in the dark? What
 if I come to him, as *Nicodemus* did, staggering
 in the night? It is a night of trouble, a night
 of darkness; though I come trembling and
 staggering in this night, yet I shall be sure to
 find comfort and fixedness in him: And the
 Lord of heaven be the strength, stay, and the
 support of your soul, and the Lord furnish you
 H with

with all those graces which may carry you into the bosom of the Lord Jesus, that when you expire this life, you may be able to expire it into him, in whom you may begin to live to all eternity, and that is my humble prayer.---

Holland. *Mr Bolton, God hath given me long time in this world, he hath carried me through many great accidents of Fortune; he hath at last brought me down into a condition, where I find my self brought to an end, for a disaffection to this State, to this Parliament, that (as I said before) I did believe no body in the world more unlikely to have expected to suffer for that Cause: I look upon it as a great Judgment of God for my sins. And truly Sir, since that the death is violent, I am the less troubled with it, because of those violent deaths that I have seen before, principally my Saviour that hath shewed us the way, how and in what manner he hath done it, and for what cause, I am the more comforted, I am the more rejoiced. It is not long since the King my Master passed in the same manner, and truly I hope that his purposes and intentions were such, as a man may not be ashamed, not only to follow him, in the way that was taken with him, but likewise not ashamed of his purposes, if God had given him life. I have often disputed with him concerning many things of*
this

this kind, and I conceive his sufferings, and his better knowledge, and better understanding, (if God had spared him life) might have made him a Prince very happy towards himself, and very happy towards this Kingdom. I have seen and known, that those blessed Souls in Heaven have passed thither by the gate of sorrow, and many by the gate of violence: and since it is Gods pleasure to dispose me this way, I submit my soul to him, with all comfort, and with all hope, that he hath made this my end, and this my conclusion, that though I be low in death, yet nevertheless this lowness shall raise me to the highest glory for ever.

Truly, I have not said much in publique to the People, concerning the particular actions that, I conceive, I have done by my counsels in this Kingdom, I conceive they are well known, it were something of vanity (we-thinks) to take notice of them here, I'll be rather dye with them, with the comfort of them, in my own bosom; and that I never intended in this action, or any action that ever I did in my life, either malice, or bloodshed, or prejudice to any creature that lives. For that which concerns my Religion, I made my profession before of it, how I was bred, and in what manner I was bred, in a Family that was looked upon to be no little notorious, in

opposition to some liberties, that they conceived then to be taken; and truly, there was some mark upon me, as if I had some taint of it, even throughout my whole ways, that I have taken; every body knows what my affections have been, to many that have suffered, to many that have been in troubles in this Kingdom, I endeavored to relieve them, I endeavored to oblige them, I thought I was tied so by my Conscience, I thought it by my Charity, and truly very much by my Breeding; God hath now brought me to the last instant of my time, all that I can say, and all that I can adhere unto, is this, That as I am a great sinner, so I have a great Saviour, that as he hath given me here a fortune, to come publicquely in a shew of shame in the way of this suffering (truly I understand it not to be so,) I understand it to be a glory, a glory when I consider who hath gone before me, and a glory when I consider I had no end in it, but what I conceive to be the service of God, the King, and the Kingdom, and therefore my Heart is not charged much with any thing in that particular, since I conceive God will accept of the intention, whatsoever the action seem to be: I am going to dye, and the Lord receive my Soul; I have no reliance but upon Christ, for my self I do acknowledg that I

am the unworthiest of sinners; my life hath been a vanity, and a continued sin, and God may justly bring me to this end for the sins I have committed against him, and were there nothing else but the iniquities that I have committed in the way of my life, I look upon this as the great Justice of God to bring me to this suffering, and to bring me to this punishment, and those hands that have been most active in it, if any such there hath been, I pray God forgive them, I pray God that there may not be many such Trophees of their Victories, but that this may be, as I said before, the last shew that this People shall see of the blood of persons of Condition, of persons of Honour: I might say something of the way of our Tryal, which certainly hath been as extraordinary as any thing I think hath ever been seen in this Kingdom; but because that I would not seem as if I made some complaint, I will not so much as mention it, because no body shall believe I repine at their actions, that I repine at my fortune: It is the Will of God, it is the Hand of God under whom I fall, I take it entirely from him, I submit myself to him, I shall desire to roul my self into the Arms of my blessed Saviour, and when I come to this place, (pointing to the Block) when I bow down my self there, I hope God will raise me

up; and when I bid farewell, as I must now to Hope and to Faith, that Love will abide, I know nothing to accompany the Soul out of this World but Love, and I hope that Love will bring me to the Fountain of Glory in Heaven, through the Arms, Mediation, and the Mercy of my Saviour Jesus Christ, in whom I believe, O LORD help my unbelief.

Hodges. The Lord make over unto you the Righteousness of his own Son, it is that Treasury that he hath bestowed upon you, and the Lord shew you the light of his countenance, and fill you full with his joy and kindness, O my dear Lord, the Lord of Heaven and Earth be with you, and the Lord of Heaven and Earth bring you to that safety.

Holland. I shall make as much haste as I can to come to that Glory, and the Lord of Heaven and Earth take my Soul; I look upon my self intirely in Him, and hope to find mercy through Him, I expect it, and through that Fountain that is opened for sin, and for uncleanness, my Soul must receive it, for did I rest in any thing else, I have nothing but sin and corruption in me; I have nothing but that, which instead of being carryed up into the Arms of God and Glory, I have nothing but may throw me down into Hell.

Bolton.

Belton. But, my Lord, when you are clothed with the Righteousness of another, you will appear glorious, though now sinful in your self; The Apostle saith, *I desire not to be found in my own Righteousness*, and when you are clothed with another, the Lord will own you, and I shall say but thus much, Doubt not that ever God will deny Salvation to sinners, that come to him, when the end of all his death and sufferings was the Salvation of sinners, when as, I say, the whole end, and the whole design, and the great Work that God had to do in the World, by the death of Christ, wherein he laid out all his Counsels, and infinite Wisdom, and Mercy, and Goodness, beyond which there was a *Non ultra* in Gods thoughts, when this was the great design, & great end, the Salvation of sinners, that poor Souls should come over to him and live; certainly when sinners come, he will not reject, he will not refuse. And my Lord, do but think of this, the greatest work that ever was done in the World, was the Blood of Christ that was shed, never any thing like it; and this Blood of Christ that was shed, was shed for them that come, if not for them, for none, it was in vain else: You see the Devils they are out of capacity of good by it, the Angels they have no need of it, wicked men will not come, & there are but a few that

come over, and should he deny them, there were no end nor fruit of the blood and sufferings of the Lord Jesus; and had your Lordship been with Christ in that bloody Agony, when he was in that bloody sweat, sweating drops of blood, if you had asked him, Lord what art thou now a doing? Art thou not now reconciling an angry God and me together? Art thou not pacifying the wrath of God? Art thou not interposing thy self between the Justice of God and my Soul? Would he not have said, Yea? and surely then he will not deny it now. My Lord, his passions are over, his compassions still remain, and the larger and greater, because he is gone up into a higher place, that he may throw down more abundance of his mercy and grace upon you; and my Lord, think of that infinite love, that abundance of riches in Christ: I am lost, I am empty, I have nothing, I am poor, I am sinful: be it so, as bad as God will make me, and as vile as I possibly can conceive my self, I am willing to be; but when I have said all, the more I advance that riches, and honour that grace of God. And why should I doubt, when by this he puts me into a capacity, into a disposition for him to shew me mercy, that by this I may the better advance the riches of his grace, and say, grace, grace to the Lord to all eternity,

that

that God should own such a creature, that deserves nothing; and the less I deserve, the more conspicuous is his grace: and this is certain, the riches of his grace he throweth amongst men, that the glory of his grace might be given to himself; if we can give him but the glory of his grace, we shall never doubt to partake of the riches of it, and that fulness, my Lord, that fulness be your comfort, that fulness of Mercy, that fulness of Love, that fulness of Righteousness and Power be now your riches, and your only stay, and the Lord interpose himself between God and you; as your faith hath endeavored to interpose him between God and your soul, so I doubt not but there he stands, my Lord, to plead for you, and when you are not able to do any thing your self, yet lie down at the feet of him that is a merciful Saviour, and knows what you would desire, and wait upon him while you live, trust in him when you dye, there is riches enough, and mercy enough, if he open not, yet dye at his door, say, there I'll dye, there is mercy enough.

Holland. And here is the place where I lie down before him, from whence I hope he will raise me to an eternal glory through my Saviour, upon whom I rely, from whom only I can expect mercy; into his Arms I commend my spirit, into his bleeding Arms, that when I
leave

leave this bleeding body that must lie upon this place, he will receive that soul that ariseth out of it, and receive it into his eternal mercy, through the merits, through the worthiness, through the mediation of Christ that hath purchased it with his own most precious blood.

Balton. My Lord, Though you conclude here, I hope you begin above; and though you put an end here, I hope there will never be an end of the mercy and goodness of God: and if this be the morning of Eternity, if this be the rise of Glory, if God pleaseth to throw you down here, to raise you up for ever, say, Welcom Lord, welcome that death that shall make way for life, and welcom any condition that shall throw me down here, to bring me into the possession of Jesus Christ.

Hodges. My Lord, if you have made a Deed of Gift of your self to Jesus Christ, to be found only in him, I am confident you shall stand at the day of Christ, my dear Lord, we shall meet in happiness.

Holland. Christ Jesus receive my soul, my soul hungers and thirsts after him, clouds are gathering, and I trust in God through all my heaviness, and I hope, through all impediments, he will settle my Interest in him, and throw off all the claim that Satan can make unto it, and that he will carry my soul, in despite of all the

columns, and all that the Devil and Satan can invent, will carry it into eternal mercy, there to receive the blessedness of his presence to all Eternity.

Hodges. My Lord, it was his own by Creation, it is his own now by Redemption and purchase, it is likewise his own by Resignation: O my Lord, look therefore up to the Lamb of God, that sits at the right hand of God, to take away the sins of the World; O that Lamb of God!

Holland. That Lamb of God, into his hands I commit my soul; and that Lamb of God that sits upon the Throne to judg those twentyfour that fall down before him, I hope he will be pleased to look downward, and judg me with mercy that fall down before him, and that worship him, and that adore him, that only trusts upon his mercy, for his compassion; and that as he hath purchased me, he would lay his claim unto me now, and receive me.

Bolton. My Lord, think of this, *There is no condemnation to them who are in Christ: Who is it that can condemn? it is Christ that justifies;* and therefore look now upon this, my Lord, upon this Christ, upon this Christ that justifies: Hell, Death, Sin, Satan, nothing shall be able to condemn, *it is Christ that justifies you.*

Holland.

Holland. Indeed if Christ justifie, no body can condemn, and I trust in God, in his Justification; though there is confusion here without us, and though there are wonders and staring that now disquiet, yet I trust that I shall be carried into that mercy, that *God* will receive my soul.

Bolton. I doubt not, my Lord, but as you are a Spectacle and of pity here, so you are an object of *Gods* mercy above.

Holland. Then the Earl of *Holland* looking over among the people, pointing to a Soldier, sayd, This honest man took me prisoner, you little thought I should have been brought to this, when I delivered my self to you upon conditions: And espying Captain *Watson* on horseback, putting off his Hat, sayd to him, *God* be with you Sir, *God* reward you Sir.

Bolton. My Lord, throw your self into the arms of mercy, and say, There I will Anchor, and there I will dye, he is a Saviour for us in all conditions, whither should we go? he hath the words of eternal life, and upon him do you rest, wait while you live, and even trust in death.

Holland. Here must now be my Anchor, a great storm makes me find my Anchor, and but in storms no body trust to their Anchor, and therefore I must trust upon my Anchor,

(Upon that God, said Mr Bolton, upon whom your Anchor trusts,) yea, God, I hope, will anchor my soul fast upon Christ Jesus; and if I dye not with that cleanness and that heartiness that you speak of, truly, I will trust in God, though he kill me, I will rely upon him, and in the mercy of my Saviour.

Bolton. There is mercy enough, my Lord, and to spare, you shall not need to doubt, they shall never go begging to another door, my Lord, that come to him. Then the Earl of *Holland* speaking to Mr *Hodges*, said, I pray God reward you for all your kindness, and pray, as you have done, instruct my Family, that they may serve God with faithfulness, with holiness, with more diligence, then truly I have been careful to press them unto: You have the charge of the same place, you may do much for them, and I recommend them to your kindness, and the goodness of your Conscience.

Dr Sibbald standing by upon the Scaffold, in his passage to Col: *Beecher*, expressed himself thus to his Lordship:

Dr Sibbald. The Lord lift up the light of his countenance upon you, and you shall be safe.

Holland. Then the Earl of *Holland* embraced Lieut: Col: *Beecher*, and took his leave of him: After which he came to M. *Bolton*, and having

having embraced him, and returned him many thanks for his great pains and affections to his soul, desiring *God* to reward him, and return his love into his bosom. *Mr Bolton* said to him, The Lord *God* support you, and be seen in this great extremity; the Lord reveal and discover himself to you, and make your death the passage unto eternal life——

Holland. Then the Earl of *Holland* turning to the Executioner, said, Here, my friend, let my Clothes and my Body alone, there is Ten pounds for thee, that is better then my Clothes I am sure of it.

Executioner. Will your Lordship please to give me a sign when I shall strike? And then his Lordship said, You have room enough here, have you not? and the Executioner said, Yes.

Bolton. The Lord be your strength, there is riches in him; The Lord of Heaven impart himself to you, he is able to save to the uttermost: We cannot fall so low, as to fall below the everlasting Arms of *God*; and therefore the Lord be a support and stay to you in your low condition, that he will be pleased to make this an advantage to that life and glory that will make amends for all.

Holland. Then the Earl of *Holland* turning to the Executioner, said, Friend, do you hear me,

me, if you take up my Head, do not take off my Cap. Then turning to his Servants, he said to one, Fare you well, thou art an honest fellow: and to another, *God* be with thee, thou art an honest man; and then said, Stay, I will kneel down, and ask *God* forgiveness; and then prayed for a pretty space, with seeming earnestness.

Balton. The Lord grant you may find life in death.

Holland. Which is the way of lying? (which they shewed him.) And then going to the front of the Scaffold, he said to the People, *God* bless you all, and *God* deliver you from any such accident as may bring you to any such death as is violent, either by War, or by these accidents; but that there may be peace among you, and you may find, That these accidents that have hapned to us, may be the last that may happen in this Kingdom; it is that I desire, it is that I beg of *God*, next the saving of my soul: I pray *God* give all happiness to this Kingdom, to this People, and this Nation. And then turning to the Executioner, said, How must I lie? I know not.

Execut. Lie down flat upon your belly: and then having laid himself down, he said, Must I lie closer?

Execut. Yes, and backwarder.

Holland.

Holland. I will tell you when you shall strike; and then as he lay, seemed to pray with much affection for a short space, and then lifting up his head, said, Where is the man? and seeing the Executioner by him, he said, Stay while I give the Sign; and presently after stretching out his hand, and the Executioner being not fully ready, he said, Now, now, and just as the words were coming out of his mouth, the Executioner at one blow levered his Head from his Body.

The Execution of the Lord of Holland being thus performed, the Lord Capel was brought to the Scaffold as the former, and in the way to the Scaffold, he put off his Hat to the people on both sides, looking very austere-ly about him: And being come upon the Scaffold, Lieut: Col: Beecher said to him, Is your Chaplain here?

Capel. No, I have taken my leave of him; and perceiving some of his Servants to weep, he said, Gentlemen, refrain your selves, refrain your selves; and turning to Lieut: Col: Beecher, he said, What, did the Lords speak with their Hats off or on?

Lieut: Col: Beecher. With their Hats off: And then coming to the front of the Scaffold, he said, I shall hardly be understood here, I think; and then began his Speech, as followeth.

Capel

Capel. **T**He conclusion that I made with those that sent me hither, and are the cause of this violent death of mine, shall be the beginning of what I shall say to you: When I made an Address to them (which was the last) I told them with much sincerity, That I would pray to the God of all mercies, that they might be partakers of his inestimable and boundless mercies in Jesus Christ, and truly, I still pray that Prayer; and I beseech the God of Heaven forgive any injury they have done to me, from my soul I wish it. And truly, this I tell you, as a Christian, to let you see I am a Christian; but it is necessary I should tell you somewhat more, That I am a Protestant: And truly, I am a Protestant, and very much in love with the profession of it, after the manner as it was established in England by the Thirty nine Articles, a blessed way of profession, and such a one, as truly, I never knew none so good: I am so far from being a Papist, which some body have (truly) very unworthily at some time charged me withall, that truly, I profess to you, that though I love good works, and commend good works, yet I hold, They have nothing at all to do in the matter of Salvation; my Anchor-hold is this, That Christ loved me, and gave himself for me, that is that that I rest upon. And truly, some-
 I thing

thing I shall say to you as a Citizen of the
 whole world, and in that consideration I am
 here condemned to dye: Truly, contrary to the
 Law that governs all the world, that is, The
 Law of the Sword; I had the protection of that
 for my life, and the honor of it; but truly, I will
 not trouble you much with that, because in an-
 other place I have spoken very largely and li-
 berally about it, I believe you will hear by o-
 ther means what Arguments I used in that
 case: But truly, that that is stranger, you that
 are English men, behold here an English man
 now before you, and acknowledged a Peer, not
 condemned to dye by any Law of England, not
 by any Law of England; Nay, shall I tell you
 more (which is strangest of all) contrary to all
 the Laws of England that I know of. And
 truly, I will tell you, in the matter of the Civil
 part of my death, and the cause that I have
 maintained, I dye (I take it) for maintaining
 the fifth Comandment, injoyed by God himself,
 which injoyes reverence & obedience to Parents.
 All Divines on all hands, though they contra-
 dict one another in many several Opinions, yet
 all Divines on all hands, do acknowledg, that
 herein is intended Magistracy & Order; and cer-
 tainly I have obeyed that Magistracy and that
 Order under which I have lived, which I was
 bound to obey; and truly, I do say very confi-
 dently,

dently, that I do dye here for keeping, for obey-
 ing that fifth Commandment, given by God
 himself, and written with his own finger. And
 now, Gentlemen, I will take this opportunity to
 tell you, That I cannot imitate a better nor a
 greater ingenuity then his, that said of himself,
 For suffering an unjust Judgment upon an-
 other, himself was brought to suffer by an
 unjust Judgment. Truly Gentlemen, that God
 may be glorified, that all men that are concern-
 ed in it, may take the occasion of it, of humble
 repentance to God Almighty for it, I do here
 presents to you, that truly I did give my Vote to
 that Bill of the E. of Strafford, I doubt not
 but God Almighty hath washed that away
 with a more precious blood, and that is, with
 the blood of his own Son, and my dear Saviour
 Jesus Christ, and I hope he will wash it away
 from all those that are guilty of it; truly, this
 I may say, I had not the least part, nor the least
 degree of malice in the doing of it; but I must
 confess again to Gods Glory, and the accusa-
 tion of mine own frailty, and the frailty of my
 Nature, that truly it was an unworthy Cow-
 ardice, not to resist so great a torrent as carri-
 ed that business at that time. And truly, this
 I think I am most guilty of, of not courage e-
 nough in it, but malice I had none; but what-
 soever it was, God, I am sure, hath pardoned

it, hath given me the assurance of it, That Christ Iesus his blood hath washed it away, and truly, I do from my soul wish, That all men that have any stain by it, may seriously repent, and receive a remission and pardon from God for it. And now, Gentlemen, we have had an occasion, by this intimation, to remember his Majesty, our King that last was; and I cannot speak of him, nor think of it, but truly, I must needs say, That in my Opinion, that have had time to consider all the Images of all the greatest and vertuouslest Princes in the world; and truly, in my Opinion, there was not a more vertuous, and more sufficient Prince known in the world, then our gracious King Charles that dyed last: God Almighty preserve our King that now is, his Son; God send him more fortunate and longer days, God Almighty so assist him, that he may exceed both the vertues and sufficiencies of his Father: For certainly, I that have been a Councillor to him, and have lived long with him, and in a time when discovery is easily enough made, for he was young (he was about thirteen, fourteen, fifteen or sixteen years of age) those years I was with him, truly I never saw greater hopes of vertue in any young person then in him, great Judgment, great Understanding, great Apprehension, much Honor in his Nature, and truly, a very
 per-

perfect Englishman in his inclination; and I pray God restore him to this Kingdom, and unite the Kingdoms one unto another, and send a great happiness both to you and to him, that he may long live and Reign among you, and that that Family may Reign till thy Kingdom come, that is, while all Temporal Power is consummated: I beseech God of his mercy, give much happiness to this your King, and to you that in it shall be his Subjects, by the grace of Jesus Christ.

Truly, I like my beginning so well, that I will make my conclusion with it, that is, That God Almighty would confer of his infinite and ineffimable grace and mercy to those that are the Causes of my coming hither, I pray God give them as much mercy as their own hearts can wish; and truly, for my part, I will not accuse any one of them of malice, truly I will not, nay, I will not think there was any malice in them; what other ends there is, I know not, nor I will not examine, but let it be what it will, from my very soul I forgive them every one: And so the Lord of Heaven bless you all, God Almighty be infinite in goodness and mercy to you, and direct you in those ways of obedience to his commands to his Majesty, that this Kingdom may be a happy and glorious Nation again, and that your King may be a happy King

in so good and so obedient People; God Almighty keep you all, God Almighty preserve this Kingdom, God Almighty preserve you all.

Then turning about, and looking for the Executioner (who was gone off the Scaffold) said, Which is the Gentleman? which is the man? Answer was made, He is a coming: He then said, Stay, I must pull off my Dublet first, and my Waistcoat: Then the Executioner being come upon the Scaffold, the Lord Capel said, O friend, prethee come hither: Then the Executioner kneeling down, the Lord Capel said, I forgive thee from my Soul, and not only forgive thee, but I shall pray to God to give thee all grace for a better life: There is Five pounds for thee; and truly for my clothes and those things, if there be any thing due to you for it, you shall be very fully recompenced; but I desire my body may not be stripped here, and no body to take notice of my body but my own servants: Look you friend, this I shall desire of you, that when I lie down, that you would give me time for a particular short prayer.

Lieu. Col. Beecher. Make your own sign, my Lord.

Cap. Stay a litle, which side do you stand upon? (speaking to the Executioner) Stay, I think I should lay my hands forward that way
(pointing

(pointing fore-right,) and answer being made, Yes; he stood still a little while, and then said, God Almighty bless all this People, God Almighty stench this blood, God Almighty stench, stench, stench this issue of blood; this will not do the business, God Almighty find out another way to do it. And then turning to one of his Servants, said, *Baldwin*, I cannot see any thing that belongs to my wife, but I must desire thee to beseech her to rest wholly upon Jesus Christ, and be contented and fully satisfied: And then speaking to his Servant, he said, God keep you; and Gentlemen, let me now do a business quickly, privately, and pray let me have your prayers at the moment of death, that God would receive my soul.

Lieut. Col. Beecher. I wish it.

Capel. Pray at the moment of striking joyn your prayers, but make no noise (turning to his servants) that's inconvenient at this time.

Servant. My Lord, put on your Cap.

Capel. Should I, what wil that do me good?

*As he was put Stay a little, is it well as it is
ring up his hair. *now? And then turning to
the Executioner, he said, Honest man, I have
forgiven thee, therefore strike boldly, from
my soul I do it. Then a Gentleman speaking
to him, he said, Nay, prethee be contented, be
quiet good Mr — be quiet. Then turning

to

to the Executioner, he said, Well, you are ready when I am ready, are you not? And stretching out his hands, he said, Then pray stand off Gentlemen. Then going to the front of the Scaffold, he said to the People, Gentlemen, though I doubt not of it, yet I think it convenient to ask it of you, That you would all joyn in Prayers with me, That God would mercifully receive my soul, and that for his alone mercies in Christ Jesus. God Almighty keep you all.

Execut. My Lord, shall I put up your hair? *Capel.* I, I, prethee do: and then as he stood lifting up his hands and eyes, he said, O God, I do with a perfect and a willing heart submit to thy Will: O God, I do most willingly humble my self: And then kneeling down, said, I will try first how I can lie; and laying his head over the Block, said, Am I wel now?

Executioner. Yes. And then as he lay with both his hands stretched out, he said to the Executioner, Here lies both my hands out, when I lift up my hand thus, (lifting up his right hand) then you may strike. And then after he had said a short prayer, he lifted up his right hand, and the Executioner at one blow severed his Head from his Body, which was taken up by his Servants, and put (with his body) into a Coffin, as the former.

THE BRITISH MUSEUM



THE BRITISH MUSEUM
LONDON
1851